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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF INDIANA,

DURING THE

THIRTY-SECOND SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING

DECEMBER 6, 1847.

INDIANAPOLIS:

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES,
OF THE
STATE OF INDIANA.

During the Thirty Second Session of the General Assembly, begun and held in the Capitol, in the City of Indianapolis, on Monday, the sixth day of December, in the year of our Lord one thousand eight hundred and forty-seven; being the day fixed by the Constitution of the State for the meeting of the General Assembly.

The House having been called to order by Matthew S. Ward, Principal Clerk to the last House of Representatives, the following members produced their credentials, were sworn into office by the Hon. James W. Borden, President Judge of the 12th Judicial Circuit of Indiana, and took their seats, viz.:

From the Counties of Adams and Wells.—David McDonald.
From the County of Allen.—Christian Parker and Peter Keiser.
From the County of Bartholomew.—Charles Jones.
From the County of Boone.—Stephen Neal and Hiram Blackstone.
From the Counties of Brown and Monroe.—Jacob B. Lowe.
From the Counties of Blackford and Jay.—Morrison Rulon.
From the Counties of Benton, Pulaski, Jasper, and White.—David McConnell.
From the County of Carroll.—Thomas Thompson.
From the County of Clarke.—Thomas Carr and John H. Sullivan.
From the County of Clay.—Elias Bowling.
From the Counties of Cass and Howard.—Corydon Richmond.

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From the Counties of Clinton and Tipton.—Thomas Kennard.
From the County of Crawford.—John Coble.
From the County of Daviess.—Elias S. Terry.
From the County of Dearborn.—George W. Lane and Richard D. Slater.

From the County of Decatur.—Philander Hamilton.
From the Counties of De Kalb and Steuben.—John P. Widney.
From the County of Delaware.—Samuel Orr.
From the County of Dubois.—Benjamin T. Goodman.
From the County of Elkhart.—Horace H. Hall.
From the County of Fayette.—Samuel Little and Thomas D. Hanks.

From the County of Floyd.—John B. Windstandley.
From the County of Fountain.—Solomon Hetfield.
From the County of Franklin.—John B. Campbell and Aaron B. Line.

From the Counties of Fulton, Marshall, and Starke.—John J. Shryock.
From the County of Gibson.—George W. Thompson.
From the County of Grant.—Andrew J. Harlan.
From the County of Greene.—Stephen Lockwood.
From the County of Hamilton.—Samuel Colip.
From the County of Hancock.—David S. Gooding.
From the County of Harrison.—William A. Porter.
From the County of Hendricks.—Jonathan S. Harvey.
From the County of Henry.—Samuel Coffin and Jesse W. Baldwin.

From the Counties of Huntington and Whitley.—Henry Swihart.
From the County of Jackson.—John L. Ford.
From the County of Jefferson.—Fabius Hull and John Chambers.
From the County of Jennings.—Hiram Prather.
From the County of Johnson.—Isaiah M. Norris.
From the County of Knox.—James D. Williams.
From the County of Kosciusko.—James S. Frazer.
From the Counties of Lagrange and Noble.—William H. Nimmons.
From the Counties of Lake and Porter.—Leander McDonald.
From the County of Laporte.—Franklin W. Hunt and Myron H. Orton.

From the County of Lawrence.—Samuel W. Short.
From the County of Madison.—Ruel N. Williams.
From the County of Marion.—Hervey Brown.
From the Counties of Miami and Wabash.—Alphonso A. Cole.
From the County of Montgomery.—Ambrose W. Armstrong and John W. Dimmett.

From the County of Morgan.—Oliver R. Dougherty.
From the Counties of Ohio and Switzerland.—Samuel F. Covington and Charles T. Jones.

From the County of Orange.—James Danner.
From the County of Owen.—James W. Dobson.
From the County of Parke.—Addison L. Roach and William Tinbrook.

- From the County of Perry.*—Erastus Sackett.
From the County of Pike.—James C. Graham.
From the County of Posey.—Felix Mills and Adam Lichtenberger.
From the County of Putnam.—William A. McKinzie and William M. Albin.
From the County of Randolph.—Asahel Stone and Henry H. Neff.
From the County of Rush.—John M. Huddleston and William C. Robinson.
From the County of Scott.—Alonson A. Morrison.
From the County of Shelby.—William Major.
From the County of St. Joseph.—William Miller.
From the County of Sullivan.—Benjamin Wolfe.
From the County of Tippecanoe.—Philip McCormack, Thomas Smiley, and John Doyle.
From the County of Union.—Daniel Trimble.
From the County of Vermillion.—William P. Dole.
From the County of Vigo.—Cephas S. Holden, Amory Kinney, and Grafton F. Cookerly.
From the County of Vanderburg.—James E. Blythe.
From the County of Warren.—James R. M. Bryant.
From the County of Warrick.—Isham Fuller.
From the County of Washington.—Cyrus L. Dunham and George May.
From the County of Wayne.—David Commons, Solomon Meredith, Robert Gordon, and Stephen B. Stanton.

The House then proceeded to the election of a Speaker, Messrs. McDonald of Lake and Porter and Hull acting as tellers.

On counting the first ballot—

| | | | |
|-----------------------------|---|---|-----------|
| William A. Porter received | - | - | 16 votes. |
| Jonathan S. Harvey received | - | - | 5 votes. |
| Solomon Meredith received | - | - | 27 votes. |
| Cyrus L. Dunham received | - | - | 43 votes. |
| Blank, | - | - | 5 votes. |

Neither of the gentlemen having received a majority of the votes given, the House proceeded to a second balloting. On counting the votes—

| | | | |
|-----------------------------|---|---|-----------|
| Cyrus L. Dunham received | - | - | 44 votes. |
| Solomon Meredith received | - | - | 35 votes. |
| William A. Porter received | - | - | 8 votes. |
| Jonathan S. Harvey received | - | - | 5 votes. |
| Blank | - | - | 4 votes. |

No person having received a majority of all the votes given, the House proceeded to a third balloting. Before which

Mr. John P. Davis, member elect from the county of Martin,

appeared, presented his credentials, was sworn by the Hon. James W. Borden, President Judge of the 12th Judicial Circuit of the State of Indiana, and took his seat.

On counting the votes it appeared that—

| | | |
|-----------------------------|---|-------------|
| Solomon Meredith received | - | - 37 votes. |
| William A. Porter received | - | - 9 votes. |
| Jonathan S. Harvey received | - | - 3 votes. |
| Cyrus L. Dunham received | - | - 44 votes. |
| Blank | - | - 4 votes. |

¶ No person having received a majority of all the votes given, the House proceeded to a fourth balloting; before which

The names of Messrs. Jonathan S. Harvey and Cyrus L. Dunham were withdrawn.

On counting the fourth ballot it appeared that—

| | | |
|----------------------------|---|-------------|
| Solomon Meredith received | - | - 47 votes. |
| William A. Porter received | - | - 42 votes. |
| Blank | - | - 8 votes. |
| Scattering | - | - 3 votes. |

No person having received a majority of all the votes given, the House proceeded to a fifth balloting; on counting which it appeared that—

| | | |
|----------------------------|---|-------------|
| Solomon Meredith received | - | - 44 votes. |
| William A. Porter received | - | - 50 votes. |
| Blank | - | - 3 votes. |

William A. Porter having received a majority of all the votes given was declared by the clerk duly elected Speaker of the House of Representatives, during the present session; and having been conducted to the chair by Messrs. Fuller and Hunt, in a brief and appropriate speech returned his thanks to the members for the honor conferred upon him, in selecting him to preside over their deliberations, and solicited their hearty co-operation in the work of legislation.

On motion by Mr. Fuller,

The House adjourned until 2 o'clock, P.M.

2 o'clock, P.M.

The House met pursuant to adjournment.

Mr. David Criswell, member elect from the county of Ripley, appeared, produced his credentials, was sworn by the Hon. James

W. Borden, President Judge of the 12th Judicial Circuit of the State of Indiana, and took his seat.

On motion by Mr. Fuller,

The house proceeded to the election of Principal Clerk, Messrs. Little and Harlan, acting as tellers.

On counting the first ballot it appeared that—

| | | | | |
|--------------------------|---|---|---|-----------|
| Mathew S. Ward received | - | - | - | 28 votes. |
| Schuyler Colfax received | - | - | - | 39 votes. |
| Charles Cruft received | - | - | - | 30 votes. |
| Blank | - | - | - | 1 vote. |

No person having received a majority of all the votes given, the House proceeded to a second balloting.

On counting the votes—

| | | | | |
|--------------------------|---|---|---|-----------|
| Mathew S. Ward received | - | - | - | 32 votes. |
| Schuyler Colfax received | - | - | - | 37 votes. |
| Charles Cruft received | - | - | - | 27 votes. |
| Blank | - | - | - | 2 votes. |

No person having received a majority of all the votes given, the House proceeded to a third balloting.

On counting the votes—

| | | | | |
|--------------------------|---|---|---|-----------|
| Schuyler Colfax received | - | - | - | 34 votes. |
| Mathew S. Ward received | - | - | - | 44 votes. |
| Charles Cruft received | - | - | - | 20 votes. |

No person having received a majority of all the votes given, the House proceeded to a fourth balloting.

On counting the votes, it appeared that—

| | | | | |
|--------------------------|---|---|---|-----------|
| Schuyler Colfax received | - | - | - | 32 votes. |
| Mathew S. Ward received | - | - | - | 53 votes. |
| Charles Cruft received | - | - | - | 12 votes. |
| Blank | - | - | - | 1 vote. |

Mathew S. Ward having received a majority of all the votes given, was declared duly elected Principal Clerk of the House of Representatives, during the present session, came forward, was sworn into office by the Hon. Jas. W. Borden, President Judge of the 12th Judicial Circuit of the State of Indiana, and entered upon the discharge of his duties.

Mr. Thomas F. DeBruler, member elect from the county of Spencer, appeared, produced his credentials, was sworn by the Hon. Jas. W. Borden, President Judge of the 12th Judicial Circuit of the State of Indiana, and took his seat.

On motion by Mr. Harvey,

The House proceeded to the election of an Assistant Clerk, Messrs. Harvey and Dunham, acting as tellers.

On counting the first ballot, it appeared that—

| | | | | | |
|-------------------------|---|---|---|---|-----------|
| A. J. Hay received | - | - | - | - | 32 votes. |
| Mr. Hawkins received | - | - | - | - | 14 votes. |
| Lewis Bollman received | - | - | - | - | 15 votes. |
| Mr. Lynn received | - | - | - | - | 9 votes. |
| James P. Luce received | - | - | - | - | 9 votes. |
| Milo Gookins received | - | - | - | - | 9 votes. |
| William Watson received | - | - | - | - | 5 votes. |
| Mr. Moore received | - | - | - | - | 5 votes. |
| Blank | - | - | - | - | 1 vote. |

No person having received a majority of all the votes given, the House proceeded to a second balloting.

| | | | | | |
|-------------------------|---|---|---|---|-----------|
| A. J. Hay received | - | - | - | - | 43 votes. |
| Mr. Hawkins received | - | - | - | - | 16 votes. |
| Lewis Bollman received | - | - | - | - | 13 votes. |
| Mr. Lynn received | - | - | - | - | 4 votes. |
| James P. Luce received | - | - | - | - | 9 votes. |
| Milo Gookins received | - | - | - | - | 11 votes. |
| William Watson received | - | - | - | - | 2 votes. |
| Dr. Moore received | - | - | - | - | 1 vote. |

No person having received a majority of all the votes given, the House proceeded to a third balloting.

On counting the votes—

| | | | | | |
|-------------------------|---|---|---|---|-----------|
| A. J. Hay received | - | - | - | - | 56 votes. |
| Mr. Hawkins received | - | - | - | - | 20 votes. |
| Lewis Bollman received | - | - | - | - | 5 votes. |
| Mr. Lynn received | - | - | - | - | 5 votes. |
| James P. Luce received | - | - | - | - | 5 votes. |
| Milo Gookins received | - | - | - | - | 5 votes. |
| William Watson received | - | - | - | - | 2 votes. |
| Blank | - | - | - | - | 1 vote. |

Andrew J. Hay having received a majority of all the votes given, was, by the Speaker, declared duly elected Assistant Clerk of the House of Representatives, during the present session; came forward, was sworn into office by the Hon. Jas. W. Bordon, President Judge of the 12th Judicial Circuit of the State of Indiana, and entered upon the discharge of his duties.

Mr. Hull offered the following resolution :

Resolved, That Dr. N. Mills, Agent of the "*Sable Harmonians*," be

allowed the use of this Hall to night for the purpose of giving a *Grand Olio* of vocal and instrumental music.

Which was not adopted.

On motion by Mr Dunham,

The House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, DECEMBER 7, 1847.

The House met pursuant to adjournment.

On motion by Mr. Dunham,

The House proceeded to the election of Door-keeper, Messrs. Fuller and Robinson, acting as tellers.

On counting the first ballot, it appeared that—

| | | | |
|------------------------------|---|---|-----------|
| William H. Anderson received | - | - | 18 votes. |
| D. O. Adkinson received | - | - | 11 votes. |
| J. M. Spiller received | - | - | 11 votes. |
| R. H. Doggatt received | - | - | 5 votes. |
| J. F. Hanna received | - | - | 1 votes. |
| Wm. H. H. Lewis received | - | - | 12 votes. |
| Charles C. Bolt received | - | - | 3 votes. |
| Daniel Coffman received | - | - | 8 votes. |
| Mr. Miller received | - | - | 6 votes. |
| Servetus Tuffts received | - | - | 21 votes. |
| Scattering | - | - | 2 votes. |

No person having received a majority of all the votes given, the House proceeded to a second balloting.

On counting the votes—

| | | | |
|------------------------------|---|---|-----------|
| William H. Anderson received | - | - | 24 votes. |
| J. M. Spiller received | - | - | 10 votes. |
| D. O. Adkinson received | - | - | 12 votes. |
| R. H. Doggatt received | - | - | 6 votes. |
| J. F. Hanna received | - | - | 1 vote. |
| Wm. H. Lewis received | - | - | 9 votes. |
| Charles C. Bolt received | - | - | 2 votes. |
| Daniel Coffman received | - | - | 4 votes. |
| Mr. Miller received | - | - | 2 votes. |
| Servetus Tuffts received | - | - | 29 votes. |

No person having received a majority of all the votes given, the House proceeded to a third balloting.

On counting the votes—

| | | | | |
|--------------------------|---|---|---|-----------|
| Servetus Tuffts received | - | - | - | 34 votes. |
| Wm. H. Anderson received | - | - | - | 43 votes. |
| D. O. Adkinson received | - | - | - | 6 votes. |
| J. M. Spiller received | - | - | - | 4 votes. |
| R. H. Dogatt received | - | - | - | 2 votes. |
| Wm. H. H. Lewis received | - | - | - | 8 votes. |
| Charles C. Bolt received | - | - | - | 1 vote. |
| Daniel Coffman received | - | - | - | 1 vote. |

The name of Wm. H. H. Lewis, was withdrawn.

No person having received a majority of all the votes given, the House proceeded to a fourth balloting.

On counting the votes—

| | | | | |
|--------------------------|---|---|---|-----------|
| Servetus Tuffts received | - | - | - | 46 votes. |
| Wm. H. Anderson received | - | - | - | 45 votes. |
| D. O. Adkinson received | - | - | - | 3 votes. |
| J. M. Spiller received | - | - | - | 1 vote. |
| R. H. Dogatt received | - | - | - | 2 votes. |
| Charles C. Bolt received | - | - | - | 1 vote. |
| Scattering | - | - | - | 1 vote. |

And no person having received a majority of all the votes given the name of Wm. H. Anderson was withdrawn, when the House proceeded to a fifth balloting.

On counting the votes—

| | | | | |
|--------------------------|---|---|---|-----------|
| Servetus Tuffts received | - | - | - | 78 votes. |
| D. O. Adkinson received | - | - | - | 8 votes. |
| J. M. Spiller received | - | - | - | 4 votes. |
| R. H. Dogatt received | - | - | - | 5 votes. |
| Daniel Coffman received | - | - | - | 1 votes. |
| Scattering | - | - | - | 2 votes. |

Servetus Tuffts having received a majority of all the votes given, was declared by the Speaker, duly elected Door-keeper of the House of Representatives, during the present session.

Whereupon, he appeared, was sworn into office by the Hon. Jas. W. Bordon, President Judge of the 12th Judicial Circuit of the State of Indiana, and entered upon the discharge of his official duties.

The Speaker laid before the House, the following communication from His Excellency the Governor :

EXECUTIVE DEPARTMENT, }
 December 7th, 1847. }

To the House of Representatives:

GENTLEMEN:—James M. Sleeth, Esq., is authorised to make Executive communications from the undersigned to the House of Representatives, during the present session.

JAMES WHITCOMB.

The following message was received from His Excellency the Governor, by Mr. Sleeth, his private Secretary.

MR. SPEAKER:

I am directed by the Governor, to communicate to the House of Representatives, the accompanying bill, No. 173, which originated in that body, and which was passed at the last session of the General Assembly, together with his message in relation to the same.

The following message was received from His Excellency the Governor, by Mr. Sleeth, his private Secretary:

MR. SPEAKER:

I am directed by the Governor, to inform the House of Representatives, that he did on this day, approve and sign a bill which was passed at the last session of the General Assembly, but not presented to him until less than five days of the final adjournment, being bill No. 202, entitled an act to amend chapter one, of the Revised Statutes of 1843, which originated in the House of Representatives.

On motion by Mr. Neal,

Resolved That the Clerk inform the Senate, that the House have convened, formed a quorum, elected Wm. A. Porter, Speaker, M. S. Ward, Principal Clerk, A. J. Hay, Assistant Clerk, and S. Tufts, Door-keeper, and are now ready to proceed to legislative business.

Mr. Lane offered the following resolution:

Resolved, That the Door-keeper of the House be, and he is hereby instructed to contract with the Editors of Indiana Journal and State Sentinel, for five copies of their Tri-Weekly session papers for each member of this House, at the expense of the State.

Resolved, That on all papers sent from this House by the members, to their constituents, on which by the laws of the United States, it is required that the postage shall be pre-paid, the Post-

master in this place, is requested to mark said papers "paid," keep an account of the same, and at the close of the session, said account shall be paid out of the State Treasury. But said Postmaster shall not mark or otherwise endorse said papers as paid, unless the name of the member sending, is written on the envelop enclosing the same.

Mr. Meredith moved to strike out the second resolution ;

Which motion did not prevail.

On motion by Mr. Wolf,

The resolutions were laid on the table.

Mr. Meredith moved to reconsider the vote on laying the resolutions, relative to taking newspapers, on the table ;

Which motion prevailed.

Mr. Wolf moved to lay the resolutions on the table.

And the ayes and noes being demanded by Messrs. Harvey and Gooding,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blackstone, Carr, Chambers, Coble, Coffin, Colip, Commons, Cookerly, Danner, Davis, Dobson, Dougherty, Doyle, Dunham, Ford, Gooding, Goodman, Hall, Hamilton, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones, of B., Jones of S., Keiser, Kinney, Lowe, Major, May, McConnel, McCormick, McKenzie, Miller, Morrison, Neal, Nimmons, Norris, Orr, Orton, Parker, Richmond, Roache, Short, Sullivan, Thompson, of C., Tinbrook, Trimble, Widney, Williams of K., Winstandley, and Wolf—56.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Bowling, Brown, Bryant, Campbell, Cole, Covington, Criswell, DeBruler, Dimmett, Frazer, Fuller, Gordon, Graham, Harlan, Hankins, Kennard, Lane, Lichteberger, Line, Little, Lockwood, McDonald, of A., Meredith, Mills, Neff, Prather, Robinson, Rulon, Sackett, Shryock, Slater, Smiley, Stanton, Stone, Swihart, Terry, Thompson of G., Williams, of M., and Mr. Speaker—41.

So said resolutions were laid on the table.

Mr. Miller offered the following resolution :

Resolved That the Door-keeper be authorised, to contract with the Editor of the Indiana State Journal and the Editor of the Sentinel, for one copy each of their Tri-Weekly papers for the use of the House ; which,

On motion by Mr. Wolf,

Was laid on the table.

On-motion by Mr. Neal,

Resolved, That the Door-keeper furnish each member of this House with a copy of the Standing Rules and Joint Rules of the last House of Representatives.

On motion by Mr. Morrison.

Resolved, That the Door-keeper of this House, be instructed to furnish each desk of this House, with a copy of the Revised Statutes, of 1843, a copy of the laws of 1845 and 1846, and 1847, and the Journal of the House of Representatives of last session.

Mr. Hull offered the following resolution :

Resolved, That a committee of two be appointed on part of this House, to act with a similar committee on part of the Senate, to wait on the Rev. Mr. Holliday, and request him to attend in the House of Representatives, at half past two o'clock, and open the present session of the General Assembly with solemn prayer; and that the Clerk inform the Senate of the adoption of this resolution and request their concurrence;

Which,

On motion by Mr. Dunham,

Was laid on the table.

On motion by Mr. Gooding,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Blythe offered the following resolution :

Resolved, That Dr. N. Mills be allowed the use of this Hall, this evening, for the purpose of giving a musical concert.

Which was not adopted.

Mr. Wolf offered the following resolution :

Resolved, That the Clerk of the House be directed to procure a new and substantial desk, and better adapted to the purpose intended, than the one now in use, by the Clerks of this House;

Which was not adopted.

Mr. McDonold, of A., offered the following resolution :

Resolved, That the House do now proceed to elect a Sergeant-at-arms, to serve during the present session;

Which,

On motion by Mr. Dobson,

Was laid on the table.

Mr. McDonald, of L., offered the following resolution :

Resolved, That the Door-keeper act as Sergeant-at-arms, during the present session.

Which was adopted.

Mr. Harvey offered the following resolution :

Resolved, That the Rules and Joint Rules of the last session, be adopted for the government of this House, during the present session.

Which was adopted.

Mr. Meredith moved to take from the table the resolutions on the subject of taking newspapers and paying postage thereon, at the expense of the State.

Which motion prevailed.

Mr. Little moved to strike out the second resolution :

Which was adopted.

Mr. Neal moved to strike out the word "five" and insert "three."

Which motion did not prevail.

Mr. Neal moved to indefinitely postpone the resolution.

And on this motion, the ayes and noes were demanded by Messrs. Neal and Keiser,

Those who voted in the affirmative are,

Messrs. Albin, Blackstone, Bowling, Carr, Chambers, Coble, Coffin, Commons, Cookerly, Danner, Davis, Dougherty, Doyle, Dunham, Ford, Frazer, Gooding, Goodman, Graham, Hall, Hamilton, Harvey, Hetfield, Holden, Huddleston, Hull, Jones, of B., Jones, of S., Lowe, May, McConnell, McKenzie, Miller, Neal, Nimmons, Norris, Roache, Short, Slater, Smiley, Stone, Sullivan, Tinbrook, Widney, Windstandley, and Wolf—46.

Those who voted in the negative are,

Messrs. Blythe, Brown, Bryant, Campbell, Cole, Colip, Covington, Criswell, DeBruler, Dimmett, Dobson, Fuller, Hankins, Harlan, Hunt, Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Little, Major, McCormick, McDonold, of A., McDonold, of L., Meredith, Mills, Morrison, Neff, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Stanton, Swihart, Terry, Thompson, of C., Thompson, of G., Trimby, Williams, of K., Williams, of M., and Mr. Speaker—48.

So said motion did not prevail.

Mr. Dobson moved to strike out the word "five" and insert the word "two."

Which was not adopted.

The question then recurring on the resolution, the ayes and noes were demanded by Messrs. Wolf and Neal.

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Campbell, Chambers, Coble, Cole, Colip, Covington, Criswell, Dimmett, Fuller, Hankins, Keiser, Kennard, Kinney, Lane, Litchteberger, Line, Little, Major, McDonald, of A., McDonald of L., Meredith, Mills, Morrison, Ness, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Stanton, Swihart, Terry, Thompson, of C., Thompson, of G., Trimble, Williams, of M., and Mr. Speaker—45.

Those who voted in the negative are,

Messrs. Albin, Blackstone, Bowling, Carr, Coffin, Commons, Cookery, Danner, Davis, DeBruler, Dobson, Dougherty, Doyle, Dunham, Ford, Frazer, Gooding, Goodman, Graham, Hall, Hamilton, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones, of B., Jones, of S., Lowe, May, McConnell, McKinzie, Miller, Neal, Nimmons, Norris, Roache, Short, Slater, Smiley, Stone, Sullivan, Tinbrook, Widney, Williams, of R., Winstandley, and Wolf—49.

So said resolution was not adopted.

Mr. Kinney introduced the following joint resolution :

No. 1. A joint resolution on the subject of newspaper postage ;
Which was read a first time,

On motion by Mr. Meredith,

The rules were suspended and the joint resolution read a second time.

Mr. Meredith moved to suspend the rules to read the joint resolution a third time now ;

Which motion did not prevail.

The joint resolution was then,

On motion by Mr. Hamilton,

Referred to a select committee consisting of Messrs. Hamilton, Kinney, and Harlan,

Mr. Little moved to adjourn ;

Which was not adopted.

On motion by Mr. Dunham,

Resolved, That the reporters of the respective papers, of this city, be permitted to occupy seats within the bar of the House.

On motion by Mr. Kinney,

Resolved, That the State Education Convention, that is to assemble in this city, on the 8th inst., be permitted to use this Hall during each evening of its sitting.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution :

Resolved, That the Secretary of the Senate inform the House of Representatives, that the Senate have convened, formed a quorum, elected Charles H. Test, Principal Secretary, Perry E. Robinson, Assistant Secretary, and Leander B. McKinney, Door-keeper, and are now ready to proceed to legislative business.

Mr. Hull moved to take from the table the resolution on the subject of opening the present session of the General Assembly with prayer ;

Which motion prevailed.

Mr. Hull moved to strike out "two o'clock, P. M." and insert to-morrow, at "ten o'clock, A. M."

Which was adopted.

The question then being on the adoption of the resolution,

It was decided in the affirmative.

And Messrs. Hull and Carr, were appointed by the Speaker, said committee on the part of the House, to act in concert with one of the Senate, for that purpose.

On motion by Mr. Wolf,

Resolved, That a committee of two be appointed on the part of the House of Representatives, to act with a similar committee, on the part of the Senate, to wait upon His Excellency the Governor, and inform him that the thirty-second General Assembly of the State of Indiana, is now ready to receive any communication that he may be pleased to make, and that the Senate be informed thereof.

Whereupon, the Speaker appointed Messrs. Wolf and Cookerly, said committee, on the part of the House.

Mr. Harlan offered the following resolution :

Resolved, That this House will, the Senate concurring therein, go into the election of a Canal Trustee for the Wabash and Erie canal on the part of the State, also a State Agent, on Friday next, at 2 o'clock, P. M.;

Which,

On motion by Mr. Gooding,

Was laid on the table.

Mr. McCarty moved to adjourn :

Which was not adopted.

Mr. Gooding moved to take from the table, the resolution offered by Mr. Miller, in reference to taking newspapers for the use of the House.

Which motion prevailed.

Mr. Little moved to amend by striking out the words "one copy" and inserting the words "three copies ;"

Which was adopted.

Mr. Meredith moved to lay the resolution on the table ;

Which motion did not prevail.

Mr. Cookerley moved to amend, by inserting at the proper place, the words "at the expense of each member ;"

Which was not adopted.

Mr. Gooding moved to indefinitely postpone the said resolution ;

And on this resolution, the ayes and noes were demanded by two members.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Bowling, Carr, Chambers, Coble, Coffin, Cookerly, Dougherty, Doyle, Dunham, Ford, Gooding, Goodman, Hamilton, Hankins, Harvey, Hetfield, Holden, Jones, of S., Line, Lowe, Major, May, McConnell, McKenzie, Nimmons, Roache, Slater, Smiley, Stanton, Stone, Sullivan, and Winstandley,
—35.

Those who voted in the negative are,

Messrs. Armstrong, Blythe, Brown, Bryant, Campbell, Cole, Colip, Commons, Covington, Criswell, Danner, Davis, DeBruler, Dimmett, Dole, Frazer, Fuller, Graham, Hall, Harlan, Hull, Hunt, Keiser, Kennard, Lane, Lichteberger, Little, Lockwood, McCormick, McDonald, of A., McDonald, of L., Meredith, Miller, Mills, Morrison, Neal, Neff, Norris, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Sackett, Short, Shryock, Swihart, Terry, Thompson, of C., Thompson, of G., Tinbrook, Trimby, Widney, Williams of R., Williams of M., Wolf, and Mr. Speaker—59.

So said motion did not prevail.

Mr. Harlan moved to amend by striking out all after the resolving clause, and insert the following :

That each member of this House, may in his own name, or in the name or names of any other person or persons, subscribe for any number of newspapers printed in the town of Indianapolis, which shall publish the proceedings of each branch of the Legislature of the State of Indiana, not to exceed the sum of , which amount shall be paid out of the Treasury of the State.

Which was not adopted.

Mr. Neal moved to adjourn ;

Which motion did not prevail.

Mr. Dunham moved to reconsider the vote on striking out the words, "one copy" and inserting the words "three copies ;"

Which was not adopted.

Mr. Little offered the following amendment :

After the words "three copies" insert the words "for each member."

Which was adopted.

Mr. Stanton moved to lay the resolution on the table ;

Which motion did not prevail.

Mr. Dole moved to amend so as to include the officers of the House ;

Which was adopted.

The question then being on the adoption of the resolution as amended, the ayes and noes were demanded by Messrs. Wolf and Gooding,

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blackstone, Blythe, Brown, Bryant, Cole, Colip, Commons, Covington, Criswell, DeBruler, Dimmett, Dole, Frazier, Fuller, Hall, Huddleston, Hunt, Keiser, Kennard, Lichteberger, Line, Little, Lockwood, McCormick, McDonald, of L., Meredith, Miller, Mills, Morrison, Neal, Neff, Orr, Orton, Prather, Richmond, Rulon, Sackett, Swihart, Terry, Thompson, of C., Williams, of R., Williams of M., and Speaker—46.

Those who voted in the negative are,

Messrs. Albin, Bowling, Campbell, Carr, Chambers, Coffin, Cookerley, Danner, Davis, Dobson, Dougherty, Dunham, Ford, Gooding, Goodman, Graham, Hamilton, Hankins, Harlan, Harvey, Hetfield, Holden, Hull, Jones, of B., Jones, of S., Lane, Lowe, Major, May, McConnell, McDonald, of A., McKinzie, Nimmons, Norris, Parker, Roache, Short, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Thompson, of G., Tinbrook, Trimble, Widney, Windstandley, and Wolf—49.

So said resolution was not adopted.

Mr. Harlan offered the following resolution :

Resolved, That the Door-keeper of this House, be and he is hereby authorised to employ two Assistant Door-keepers.

Mr. Meredith moved to strike out the word "two" and insert "three."

Which amendment was accepted by the mover of the resolution.

Mr. Harvey moved to strike out the word "three" and insert the word "two."

Which motion prevailed.

The question then being on the adoption of the resolution, as amended ;

It was decided in the affirmative.

On motion by Mr. Dunham,
The House adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, DECEMBER 8, 1847.

House met pursuant to adjournment.

The Speaker laid before the House the following communication:

INDIANAPOLIS, Dec. 6, 1846.

Hon. W. A. Porter:

SIR—I herewith transmit the fourth annual report of the “Indiana Asylum for the education of the Deaf and Dumb,” which, in accordance with the law of last session, will be laid upon the desks of the members on the morning of Wednesday next.

L. H. JAMESON,
Secretary of the Board.

The following message was received from the Senate, by Mr. Test, their Secretary:

MR. SPEAKER:

I am requested by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House to appoint a committee of two, to act with a similar committee of the House, to wait on the Rev. Mr. Holliday, and request him to attend in the House of Representatives, on this day, at half past ten o'clock, and open the present session of the General Assembly with solemn prayer.

Senators Miller and Davis were appointed that committee on the part of the Senate.

The Speaker laid before the House a communication from the Auditor of State, on the subject of the State as a stockholder in the Madison and Indianapolis railroad.

Mr. Brown moved to refer the communication to a select committee.

Mr. Dole moved to lay the communication on the table,
Which was adopted.

Mr. Line offered the following resolutions :

Resolved, That the door keeper of this House be authorized to contract with the editors of the Indiana State Sentinel and Indiana State Journal for one copy of their tri-weekly paper during the session, for each member of the House.

Resolved, That, in addition to the regular mileage and per diem fee, that there be an additional allowance to each member of one dollar and fifty cents for the purpose of defraying the expenses of postage.

Mr. Kinney moved to strike out the second resolution.

Which motion prevailed.

Mr. Meredith moved to amend by striking out all after the resolving clause, and inserting the following :

WHEREAS, It is evident that a great desire exists among the people for information in relation to the doings of the Legislature, consequent upon the interesting subjects of common school education, and the carrying out the arrangement of the State debt, which are expected to be agitated the present session ; and,

WHEREAS, The Legislature has so long been in the habit of subscribing for papers containing its proceedings, that the people generally look to that source to obtain such information, and a failure to do so at the present session would disappoint their expectations; and,

WHEREAS, It would greatly facilitate legislation, on the part of this House, were it daily and fully informed (as they can only be through the medium of the papers) of the proceedings of the other branch of the legislature, and would be of great importance also to the members of this House to know that their proceedings were correctly given to their constituents ; therefore,

Resolved, That the door keeper of the House be instructed to contract with the editors of the State Sentinel and State Journal, for three copies of their respective tri-weeklies, for each member and officer of the House, during the session, to be mailed by said publishers, to the address of such persons as may be designated by said members and officers.

Mr. Rulon moved to strike out the preamble.

Mr. Harvey moved to lay the resolution on the table.

Which motion did not prevail.

Mr. Colip moved to lay the resolution and amendments on the table.

Which motion did not prevail.

The question then being on Hr. Rulon's motion to strike out the preamble,

It was decided in the negative.

Mr. Williams, of R., moved to amend the amendment by inserting

in the proper place, "at a rate not exceeding seventy-five cents per copy;" which,

On motion by Mr. Parker,

Was laid on the table.

The question then recurring on the amendment offered by Mr. Meredith,

It was adopted.

Mr. Ford moved to amend by striking out the word "three" and inserting the word "five."

Which was not adopted.

The question then being on the adoption of the resolution as amended.

On this question the ayes and noes were demanded by Messrs. Dunham and Gooding :

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Campbell, Cole, Colip, Commons, Covington, Criswell, Davis, DeBruler, Dimmett, Dole, Doyle, Frazer, Fuller, Hall, Keiser, Kennard, Kinney, Lane, Line, Little, Lockwood, McCormick, Meredith, Miller, Mills, Morrison, Neal, Neff, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Stanton, Swihart, Terry, Thompson of C., Thompson of G., Widney, Williams of M., and Mr. Speaker.—50.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Blackstone, Bowling, Carr, Chambers, Coble, Coffin, Cookerly, Danner, Dobson, Dougherty, Dunham, Ford, Gooding, Goodman, Graham, Hamilton, Hankins, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of B., Jones of S., Lichteberger, Lowe, Major, May, McConnell, McDonald of A., McDonald of L., McKinzie, Ninnmons, Norris, Roache, Short, Slater, Smiley, Sullivan, Tinbrook, Trimble, Williams of K., Winstandley, and Wolf.—48.

So said resolution was adopted.

The following message was received from the Senate, by Mr. Test, their secretary :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives, that the Senate has concurred in the resolution of the House to appoint a committee of two to act with a similar committee on the part of the House, to wait upon His Excellency, the Governor, and inform him that the thirty-second General Assembly of the

State of Indiana is now ready to receive any communication that he may be pleased to make.

Senators Walpole and McCarty were appointed that committee on the part of the Senate.

Mr. Meredith offered the following resolution :

Resolved, That William Douglass be appointed one of the assistant door keepers of this House during the present session.

Mr. Shryock moved to lay said resolution on the table.

Which motion did not prevail.

Mr. Dunham moved to amend the resolution by adding the words, "in addition to the two assistants now employed."

Which amendment was accepted by the mover of the resolution.

Mr. Lowe moved to amend by striking out all after the resolving clause, and inserting the following :

That the door-keeper be authorized to employ one additional assistant when, in his opinion, it is necessary.

Mr. Neal moved to lay the resolution and amendments on the table.

Which motion did not prevail.

The question then being on the adoption of the amendment offered by Mr. Lowe,

It was adopted.

Mr. Hull, from a select committee, appointed for that purpose, made the following report :

MR. SPEAKER :

The committee appointed on yesterday to act with a similar committee on the part of the Senate, to request the Rev. Mr. Holliday to attend in the Hall of the House, this morning, at $\frac{1}{2}$ past ten o'clock, for the purpose of opening the present General Assembly with solemn prayer, report, that they have performed that duty, and that the Rev. Mr. Holliday is now in attendance for such purpose.

On motion by Mr. Hull,

Resolved, That the Senate be invited to attend in the Hall of the House instantler, to attend the prayer of the Rev. Mr. Holliday to be offered in accordance with the request of a joint committee, made on yesterday, and that seats be provided on the right of the Speaker's chair, for Senators.

The Senate then came into the Hall and took their seats on the right of the Speaker's chair, when the Rev. Mr. Holliday, attended by the joint committee appointed for that purpose, appeared and addressed a Throne of Grace, in pursuance of the resolution adopted on yesterday.

The Senate then retired to their chamber.

Mr. Harlan moved to take from the table the resolution offered by him on yesterday, in relation to going into the election of Canal Trustee.

Which motion did not prevail.

Mr. Nimmons asked leave to withdraw a certain petition from the files of the House, signed by Margaret Wade and others, presented at the last session of the General Assembly.

Which leave was granted.

Mr. Terry offered the following resolution :

Resolved, That the House (the Senate concurring) will go into the election of a Commissioner of the New Albany and Vincennes McAdamized road, on Friday next, at 3 o'clock, P. M.

Which,

On motion by Mr. Gooding,
Was laid on the table.

Mr. Ford offered the following resolution :

Resolved, That this House will, the Senate concurring, go into the election of Bank Directors, on the part of the State, on Monday next at two o'clock.

Which,

On motion by Mr. Gooding,
Was laid on the table.

PETITIONS PRESENTED.

By Mr. Line,

The petition of Peter Jacob and others, praying for the sale of certain school lands ; which,

On motion by Mr. Line,
Was referred to a select committee consisting of Messrs. Line, Slater, and Thompson of G.

By Mr. Terry,

The petition of William Donally and others, to legalize a State road leading from Washington in Daviess county, to James Alford's in said county ; which,

On motion by Mr. Terry,
Was referred to a select committee consisting of Messrs. Terry, De Bruler, and Sullivan.

By Mr. Cole,

The petition of Robert Watson and others, on the subject of postponing the final payment of school lands, in section 16, township 38, range 5 east ; which,

On motion by Mr. Cole,

Was referred to a select committee composed of Messrs. Cole, Hamilton and Trimble.

On motion by Mr. Dunham,

Resolved, That the clerk be instructed to inform the Senate that the House has adopted the joint rules of the last session of the General Assembly, as the joint rules of the present session, and that the Senate be requested to concur therein.

On motion by Mr. Meredith,
The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Dunham, on leave given, introduced the following bill:

No. 2. A bill to authorize the treasurer and Auditor of State to borrow money for certain purposes.

Which was read a first and second times, the rules being suspended.

Mr. Kinney moved to amend the bill by striking out the words "it shall be the duty of the Treasurer and Auditor of State" and insert, in lieu thereof, the words, "the Treasurer and Auditor of State be authorized."

Which was adopted.

On motion by Mr. Dunham,

The rules were suspended and the bill read a third time.

Mr. Gooding moved to lay the bill on the table.

Which motion did not prevail.

The question then being shall the bill pass.

On this question the ayes and noes were demanded by Messrs. Hamilton and Gooding.

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Carr, Chambers, Coble, Coffin, Cole, Colip, Commons, Cookerly, Covington, Criswell, Danner, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Goodman, Graham, Hall, Hankins, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of B., Jones of S., Keiser, Kennard, Kinney, Lichteberger, Line, Lockwood, Major, May, McConnell,

McDonald of A., McKinzie, Meredith, Miller, Mills, Morrison, Norris, Orr, Orton, Parker, Richmond, Roache, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Widney, and Mr. Speaker.—79.

Those who voted in the negative are,

Messrs. Campbell, Gooding, Hamilton, Harlan, Lane, Lowe, McCormick, Neal, Nimmons, Prather, Stone, Trimby, Williams of M., Winstandley, and Wolf.—15.

So said bill passed.

Messrs. McDonald, of L., and Neff, by request, were excused from voting by the House.

Mr. Wolf moved to amend the title by striking out the words "certain purposes," and inserting, in lieu thereof, the words, "a special purpose."

Which was not adopted.

The following message was received from the Senate, by Mr. Murphey, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House, adopting the joint rules in force for the government of the two Houses of the last session of the General Assembly of the State of Indiana, for the government of the two Houses during the present session.

The following message was received from His Excellency, the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by the Governor to communicate to the House of Representatives, the accompanying bill, No. 173, which originated in that body, and which was passed at the last session of the General Assembly, together with his message in relation to the same.

Dec. 7, 1847.

Mr. De Bruler presented the petition of Jacob Songer and others, on the subject of granting a charter for a toll bridge at or near the mouth of Anderson river, which divides the counties of Spencer and Perry ; which,

On motion by Mr. Sackett,

Was referred to a select committee consisting of Messrs. Sackett, DeBruler, and Terry.

Mr. Cookerly, from the committee appointed for that purpose, made the following report :

MR. SPEAKER :

The joint committee, consisting of two Senators and two members of the House of Representatives, appointed to wait upon the Governor, and to inform him that the two Houses of the General Assembly are duly organized and ready to receive any communication he may be pleased to make to them, and to report to their respective Houses at what time he will make such communication, have directed me to report to the House of Representatives, that in the discharge of the duty assigned them, they have been informed by the Governor that "in consequence of a recent accident, accompanied by severe bodily injury, he regrets to say that he will be unable to communicate his annual message to the General Assembly at the usual time. From the rapid progress of his recovery, however, he expects to be able to communicate it at an early day, of which the honorable General Assembly will be duly advised."

The Speaker laid before the House the third annual report of the commissioners of the Indiana Hospital for the Insane ; which,

On motion by Mr. Hamilton,

Was laid on the table and one thousand copies ordered to be printed.

The Governor's veto message on bill No. 276, entitled "an act in relation to that portion of the northern division of the Central canal which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county," was then taken up, and, after reading a considerable portion of it,

Mr. Graham moved to suspend the further reading of the message, Which motion prevailed.

Mr. Meredith moved to lay the bill and message on the table. Which motion prevailed.

Mr. Line moved to reconsider the vote on the passage of bill No. 2. A bill to authorize the Treasurer and Auditor of State to borrow money for certain purposes.

Which motion prevailed.

Mr. Rulon moved to adjourn.

Which motion did not prevail.

Mr. McDonald, of L., moved to lay the bill under consideration on the table.

Which motion prevailed.

Mr. McDonald, of L., introduced the following bill :

No. 3. A bill for the collection of Revenue in the county of Lake for the year 1847.

Which was read a first, second and third times and passed, (the rules having been suspended).

Ordered, That the clerk inform the Senate thereof.

On motion by Mr. Graham,

The House adjourned until to-morrow morning, 8 o'clock.

THURSDAY MORNING, DECEMBER 9, 1847.

The House met pursuant to adjournment.

Mr. Neal moved a call of the House.

Which motion did not prevail.

The Speaker announced the following standing committees.

ON ELECTIONS.

Messrs. Robinson, Graham, Campbell, Little, May, Parker, and Rulon.

ON WAYS AND MEANS.

Messrs. Dunham, Bryant, Lane, Prather, Stanton, Hamilton, and Short.

ON JUDICIARY.

Messrs. Terry, McDonald of Lake, Cookerly, McKinzie, Blythe, Orton, and Roache.

ON EDUCATION.

Messrs. Kinney, Stone, Morrison, Winstandley, Norris Dobson, and Hankins.

ON STATE BANK.

Messrs. Meredith, Neal, Little, Chambers, Frazier, Line, and Thompson of Gibson.

ON MILITARY AFFAIRS.

Messrs. Fuller, Lowe, Bryant, Carr, Harding Robinson, and Cole.

ON STATE PRISON.

Messrs. Hull, Sullivan Gooding, Goodman, Gordon, McConnell, and Bowling.

ON THE AFFAIRS OF THE TOWN OF INDIANAPOLIS.

Messrs. Covington, Harding, Armstrong, Baldwin, Kennard, Keizer. and Jones of Bartholomew.

ON CLAIMS.

Messrs. Smiley, Dougherty, Slater, De Bruler, Albin, Hall and Blackstone.

ON ROADS.

Messrs. Miller, Mills, Coble, Danner, Commons, Hetfield and Thompson of Carroll.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Dole, Lockwood, Sackett, Sullivan, Trimble, Tinbrook and Coffin.

ON AGRICULTURE.

Messrs. Chambers, Colip, Davis, Criswell, Widney, Doyle and Dimmett.

ON CORPORATIONS.

Messrs. Harvey, Gooding, Williams of Madison, Major, May, Short and Hull.

ON ENROLLED BILLS.

Messrs. Harlan, Covington, Neff, Nimmons, Cole, Ford and Dougherty.

ON ENGROSSED BILLS.

Messrs. Lowe, Swihart, Rulon, Parker, Lichtenberger, Norris and Orr.

ON PUBLIC EXPENDITURES.

Messrs. Hunt, Williams of Knox, Huddleston, Carr, McCormack, McDonald of Adams, and Gordon.

ON THE TRUST FUND.

Messrs. Wolf, De Bruler, Harvey, Holden, Dobson, Baldwin and Morrison.

ON BENEVOLENT AND SCIENTIFIC INSTITUTIONS.

Messrs. Brown, Hunt, Jones of Switzerland, Neff, Richmond, Shryock and Meredith.

JOINT COMMITTEES.

ON PUBLIC BUILDINGS.

Messrs. Ford, Graham and Thompson of Gibson.

ON THE CANAL FUND.

Messrs. Neal, Coffin and Orr.

ON THE STATE LIBRARY.

Messrs. Hankins, Jones of Switzerland, and Sackett.

The Speaker also announced the following order of business:

- I. Reading of the Journal.
- II. Petitions, Memorials and Remonstrances.
- III. Reports from Standing Committees.
 - 1st. On Elections.
 - 2nd. On Ways and Means.
 - 3d. On the Judiciary.
 - 4th. On Education.

- 5th. On Military Affairs.
- 6th. On the Affairs of the State Prison.
- 7th. On the Affairs of the town of Indianapolis.
- 8th. On Claims.
- 9th. On Roads.
- 10th. On Canals and Internal Improvements.
- 11th. On Agriculture.
- 12th. On Corporations.
- 13th. On the State Bank.
- 14th. On Public Expenditures.
- 15th. On the Trust Fund.
- 16th. On Benevolent and Scientific Institutions.
- IV. Reports from Joint Standing Committees.
 - 1st. On Public Buildings.
 - 2nd. On the Canal Fund.
 - 3d. On the State Library.
- V. Reports from Select Committees.
- VI. Resolutions of the House.
- VII. Joint Resolutions.
- VIII. Bills.
- IX. Orders of the Day.

The Speaker laid before the House, certain communications from Isaiah Crabb, contesting the seat of the Hon. Elias Bowling member elect from the county of Clay.

Mr. Meredith moved to refer said communications to the committee on elections.

Which motion prevailed.

On motion by Mr. Dunham,

Resolved, That the Door-keeper be instructed to furnish the House with two hundred copies each of the order of business and of the list of standing committees and joint committees of the House.

Mr. Wolf offered the following :

Resolved, That Messrs. Kinney, Bryant, Ford, Sullivan, McDonald of Lake, Dole and Fuller, be and they are hereby appointed a committee to examine and see if it is necessary to procure a new desk for the Clerk in the House, and if in their opinion a new one is necessary, then said committee shall by the assistance of the Clerk give a model for such desk, and the Clerk shall contract and procure the same at as early a period as convenient.

Which was not adopted.

The following message was received from the Senate by Mr. Test, their Secretary.

MR. SPEAKER :

I am instructed by the Senate to inform the House of Represen-

tatives that they have passed the following engrossed bill of the House entitled,

No. 3. An act for the collection of revenue in the county of Lake for the year 1847,
Without amendment.

PETITIONS, MEMORIALS &C., PRESENTED.

By Mr. Morrison,

The petition of J. H. Hardy and others, in reference to Supervisors of roads in Scott county; which,

On motion,

Was referred to a select committee, of Messrs. Morrison, Mills, and Hull.

By Mr. Shryock,

The petition of Wm. K. Logan, Auditor, and R. G. Shryock, Treasurer of Fulton county, in relation to certain taxes collected by the county of Kosciusko, belonging to Fulton county, which was,

On motion,

Referred to a select committee of Messrs. Shryock, Hunt and Dunham.

By Mr. Meredith,

The petition of J. H. Brown and others, asking for a charter for a company to improve that portion of the National Road lying in the county of Wayne, which,

On motion,

Was referred to a select committee, of Messrs. Meredith, Gooding, Baldwin, Harvey, Cole and Neff.

By Mr. May,

The petition of James Gasaway and others in reference to making deeds for certain lands in Washington county.

By Mr. Bowlin.

The petition of W. B. Guathmey and others, that Harman Kress, a lame man, may peddle goods without license.

By Mr. Orr,

The petition of James T. Davis, asking for a divorce from his wife, Louisa Davis.

Which were severally read and referred to the judiciary committee.

By Mr. Hall,

The petition of Jacob Ellis and others, in reference to a certain school house in Elkhart county.

Which was referred to a select committee of Messrs. Hall, Neal, and Meredith.

By Mr. Hall,

The petition of V. J. Virgil and others, in relation to the mode of doing business in the county of Elkhart.

By Mr. Orr,

The petition of Rawly L. Lewellin and others, in reference to a road in the counties of Delaware and Randolph.

By Mr. Kennard,

The petition of Penel and others, on the subject of using timber, by Supervisors, in repairing roads.

Which were severally read and referred to the committee on roads.

By Mr. Dougherty,

The petition of C. B. Bowman, in reference to certain school lands purchased by Rodrick M. Siller, of the county of Morgan.

Which was referred to a select committee of Messrs. Dougherty, Stanton and Robinson.

By Mr. Short,

The petition of Stephen Fountain and others, in relation to the line dividing the counties of Lawrence and Jackson.

Which was referred to a select committee of Messrs. Short, Morrison and Ford.

By Mr. Thompson of Carroll,

The petition of William H. Benford and others, in reference to a ferry near the mouth of Tippecanoe river, called "Beauchamp's ferry."

Which was referred to a select committee of Messrs. Thompson of C., Ford and Wolf.

By Mr. Hamilton,

The petition of Andrew Dyer, Auditor of Decatur county, praying the passage of a law, authorizing the sale of a certain tract of land, laid off by the agent of the surplus revenue of said county.

Which was referred to a select committee of Messrs. Hamilton, Coffin and Criswell.

By Mr. Harlan,

The petition of A. Steel and others, of the county of Grant, praying relief for Silas Overman, as surety for Solomon Wright, former school Commissioner of said county.

Mr. Graham moved to lay the petition on the table.

Which motion did not prevail.

Mr. Harlan moved to refer to a select committee.

Which did not prevail.

Mr. Dunham moved to refer to the standing committee on education.

Which motion prevailed.

By Mr. Kennard,

The petition of John Barner and others, in relation to legalizing the present location of the State road from Lebanon, in Boone county, to Frankfort in Clinton county.

Which was referred to a select committee of Messrs. Kennard, Nimmons, and Lichteberger.

Mr Baldwin offered the following resolution:

Resolved, That the committee upon Canals and Internal Improvements be instructed to enquire into the expediency of memorializing Congress to relinquish to the State of Indiana, all the rights of the

United States in the Cumberland Road, passing through the State of Indiana, with a view to the completion of the same by the State, or by incorporated companies, and that they report thereon with all convenient haste.

Mr. Gooding moved to change the reference to a select committee, having the same subject matter under consideration, consisting of Messrs. Meredith, Gooding and others.

Which motion prevailed.

So said resolution was adopted.

Mr. Fuller asked leave to withdraw from the files of the last House of Representatives, the petition of Julia Ann Massie for divorce.

Which was granted.

Mr. Neal offered the following resolution :

Resolved, That the General Assembly of this State has not the constitutional power to pass special acts granting divorces, and if it had the power it would be inexpedient to exercise it.

Mr. Cookerly moved to lay on the table which was adopted.

On motion by Mr. Dunham,

Resolved, That a committee of two be appointed on the part of the House to act with a similar committee on the part of the Senate to wait upon the State Agent at his room in this city, to examine and count the bonds of the State which have been surrendered under an act approved January the 19th, 1846, an act supplemental thereto approved January the 27th, 1847, and now in his possession, and that the Senate be requested to reciprocate this resolution.

The Speaker appointed Messrs. Dunham and Meredith said committee on the part of the House.

Mr. Ford offered the following resolution :

WHEREAS we believe the practice of granting divorces by the Legislature to be *unconstitutional* and pernicious to the interest and happiness of the parties concerned, and further that the power of granting divorces belongs only to the Circuit Courts where all the facts in the case can be ascertained, therefore,

Be it Resolved, That this branch of the General Assembly will not grant divorces at its present session.

Mr. Meredith moved to lay on the table.

Which was not adopted.

Mr. Cole moved to strike out of the preamble all that relates to the constitutional power of the Legislature to grant divorces.

Which amendment was accepted by the mover.

The question then recurring on the adoption of the resolution it was decided in the affirmative.

On motion by Mr. Winstandley,

Resolved, That the judiciary committee be instructed to enquire into the expediency of amending "An act in relation to the service of subpoenas in chancery, approved January 25th, 1847;" so as to permit service by copy under the same circumstances that summonses at common law are now permitted to be served.

On motion by Mr. Meredith,

Resolved, That one thousand copies of the address prepared by the committee of the Common School Convention held in Indianapolis in May last, be printed for the use of the House.

Mr. McKinzie offered the following resolution :

Resolved, That the judiciary committee be instructed to inquire into the expediency of enacting a law by which chases in action may be subjected to the payment of debts, by bill in chancery, in the proper Circuit Court, in all cases where the debtor has not property subject to execution, and report thereon by bill or otherwise.

Mr. Neal moved to lay on the table.

Which motion did not prevail.

Question then recurring on the adoption of the resolution.

It was decided in the affirmative.

Mr. Prather offered the following resolution :

Resolved, That the committee on education inquire into the expediency of setting apart for the use of common schools all forfeitures, penalties and interest, which may arise from delinquent taxes and report by bill or otherwise.

Which

On motion by Mr. Terry,

Was laid on the table.

BILLS INTRODUCED.

By Mr. Widney.

No. 4. An act to amend an act entitled "an act to establish a State Road on a portion of the dividing line of the counties of DeKalb and Steuben," approved January 2d, 1847.

By Mr. Sullivan.

No. 5. A bill to change the time of holding the Probate Courts in Clark county.

By Mr. Line.

No. 6. An act authorizing the sale of certain school lands in Franklin county.

By Mr. Williams of M.

No. 8. An act to provide for assessing and collecting a road tax on lands and town lots in Madison county.

By Mr. Covington.

No. 9. An act granting to the citizens of Rising Sun a city charter.

Which were each read a first time and ordered to a second reading.

Mr. Parker introduced the following bill.

No. 7. A bill to impose additional duties on the Prosecuting Attorneys in the several counties in the 12th judicial circuit of this State and for other purposes.

Which was read a first time.

Mr. Parker moved to suspend the rules and read the bill a second time now.

Which motion did not prevail, and said bill was ordered to a second reading.

On motion by Mr. Dunham,

Bill No. 2. A bill to authorize the Treasurer and Auditor of State to borrow money for certain purposes

Was taken from the table.

Mr. Cookerly moved to re-commit the bill to a select committee with the following specific instructions.

Strike out the whole bill and substitute the following :

A bill to authorize the Treasurer, and Auditor of State to borrow money to pay the interest on the funded debt bill due January 1st, 1848.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the Treasurer, and Auditor of State be authorized to borrow from the branches of the State Bank of Indiana any sum of money not to exceed one hundred and ten thousand dollars, which sum so borrowed shall be appropriated to the payment of the instalment of interest due on the funded debt, January 1st, 1848.

SEC. 2. *Be it further enacted,* That said money shall be repaid to such banks, as may lend the same, out of any money in the Treasury at any time unappropriated and the whole shall be refunded by the 1st of April, 1848.

SEC. 3. This act to be in force from and after its passage.

Which motion prevailed.

And said bill was referred to a select committee of Messrs. Cookerly, Lane and Dunham.

Mr. Lane offered the following instructions to said committee.

With instructions to enquire into and ascertain as near as may be the amount that will be required to pay the interest the State is bound to pay on the 1st of January 1848, in compliance with the acts of 1846 and 1847.

And further, that said committee be instructed to enquire into and ascertain if expedient and entirely necessary for the State to resort to the loan mentioned in said bill.

Which instructions was decided by the Speaker not in order.

Mr. Lane offered the following resolution :

Resolved, That the select committee, appointed by the chair, to which has been referred the bill authorizing the officers of State to borrow money, shall be and they are hereby instructed to enquire into the expediency and necessity of said loan.

Which was decided by the Speaker to be out of order.

Mr. Terry introduced the following bill.

No. 10. An act to change the time of holding Probate Courts in the county of Daviess.

Which was read a first time and ordered to a second reading.

Mr. Neff moved to adjourn.

Which motion was not adopted.

Mr. Lowe offered the following instructions to the committee to which was referred bill of the House,

No. 2. A bill to authorize the Treasurer and Auditor of State to borrow money for certain purposes.

Amend as follows:

Strike out the word "and" where it occurs between the words "Auditor" and "Treasurer" and after the word "Auditor" insert the words "and Governor."

Which were adopted.

Mr. Harvey offered the following instructions to said committee.

Not exceeding one half of the par funds, as near as the same can be ascertained, which will be in the State Treasury upon the settlement with the different county Treasurers for the collection of revenue for the year 1847, after the payment of the ordinary expenses of the State Government.

Which were not adopted.

Mr. Keizer moved to adjourn.

Which motion did not prevail.

Mr. Lane moved to reconsider the vote on referring to a select committee, bill of the House,

No. 2. A bill to authorize the Treasurer and Auditor of State to borrow money for certain purposes.

Which motion did not prevail.

Mr. Rulon moved to adjourn.

Which motion did not prevail.

Mr. Slater moved to adjourn.

Which was not adopted.

The following message was received from the Senate by Mr. Test, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill thereof entitled,

No. 5. An act to change the time of holding the Probate Court in Dearborn county.

In which the concurrence of the House is respectfully requested.

Said bill, No 5, was read a first time and ordered to a second reading.

On motion by Mr. Prather.

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

The veto message of His Excellency the Governor on bill No. 376. An act for the relief of the White Water Valley Canal Company,

Was taken up and read, and,

On motion by Mr. Lane,

Was laid upon the table.

Mr. Cookerly, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred bill number two of the House, with instructions, have had the same under consideration, and a majority have directed me to report the same back, amended according to the instructions, and recommend its passage.

Mr. Lane of the committee dissents from the opinion of the majority.

The question then being, shall the bill pass?

Mr. Gooding moved to adjourn.

Which motion did not prevail.

Messrs. Neal and Lane demanded the ayes and noes on the passage of the bill.

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blackstone, Blythe, Brown, Bryant, Carr, Chambers, Coble, Colip, Commons, Cookerly, Covington, Criswell, De Bruler, Dimmett, Dobson, Dole, Doyle, Dunham, Ford, Frazer, Fuller, Goodman, Gordon, Graham, Hankins, Harvey, Hetfield, Holden, Huddleston, Hunt, Jones of B., Jones of S., Keiser, Kennard, Kinney, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McDonnald of A., McKenzie, Meredith, Miller, Mills, Morrison, Norris, Orr, Parker, Richmond, Roache, Robinson, Sackett, Short, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Widney, Williams of K., Winstandley, Wolf, Mr. Speaker—
75.

Those who voted in the negative are,

Messrs. Campbell, Cole, Danner, Dougherty, Gooding, Hall, Hamilton, Lane, Little, McCormick, McDonald of L., Neal, Neff, Nimmons, Orton, Prather, Rulon, Trimby, Williams of M.—19.

So said bill passed.

On motion by Mr. Robinson,
The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, DECEMBER 10, 1847.

The House met pursuant to adjournment.

Samuel Harding, member elect from Marion county, appeared, produced his credentials, and was sworn into office by the Hon. Isaac Blackford, and took his seat.

The Speaker laid before the House sundry reports from different branches of the State Bank; which,

On motion by Mr. Meredith,

Were laid on the table and 200 copies ordered to be printed, for the use of the House.

Mr. Dunham asked leave for the select committee appointed to count the State Bonds in the hands of the Agent of State, to sit during the session of the House:

Which was granted.

On motion by Mr. Meredith,

One thousand copies of the Report of the Trustees and Principal of the Indiana Asylum for the education of the Deaf and Dumb, heretofore laid before the House, were ordered to be printed.

On motion by Mr. Stanton,

The vote for printing 200 copies of the reports of the different branches of the State Bank, was reconsidered and the same was ordered to be laid on the table.

PETITIONS, MEMORIALS, &C.

Petitions were presented as follows:

By Mr. McDonald of L.,

A petition from sundry citizens of Porter county, to levy an additional tax for the purpose of building bridges and improving the roads in said county.

Which was referred to a select committee of Messrs. McDonald, of L., Neal, and Hall.

By Mr. Neff,

A remonstrance from Geo. W. Buckhard, and 93 others, against a certain State road therein named.

Which was referred to the standing committee on roads.

By Mr. Parker,

A petition from B. W. Oakly and others, praying for a change in a certain State road therein named.

Which was referred to a select committee of Messrs. Parker, Dole, and Lowe.

By Mr. Robinson,

A petition from sundry citizens of Shelby and Rush counties, praying for the location of a State road, in said counties.

Which was referred to a select committee, consisting of Messrs. Robinson, Major, and Dimmett.

By Mr. Colip,

A petition from sundry citizens of Hamilton, praying for a change in a certain State road, therein named.

Which was referred to a select committee of Colip, Gooding, and Balding.

By Mr. Mills,

A petition from sundry citizens of Posey county, praying for a new survey and location of a certain State road, therein named.

Which—

On motion by Mr. Nimmons,

Was referred to the standing committee on roads.

By Mr. Slater,

A petition from the church council of the German Evangelical Lutheran St. Paul's Church, praying for an act of incorporation for said church.

Which—

On motion by Mr. Slater,

Was referred to the committee on corporations.

By Mr. Blythe,

A petition from sundry citizens of Evansville, praying for an act to relinquish the right of the State of Indiana, to escheat in certain lands therein named.

Which was referred to a select committee of Messrs. Blythe, De-Bruler, and Prather.

By Mr. Dobson,

The petition of John Franklin and Noah Allison, to vacate the town of South Port, in Owen county.

Which was referred to a select committee of Messrs. Dobson, Short, and Gordon.

By Mr. Hamilton,

A petition from sundry citizens of Decatur county, praying for an act of incorporation of the Botanic Medical Society, of Decatur county.

Which was referred to a select committee of Hamilton, Trimble, and Criswell.

REPORTS.

Mr. Slater, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of sundry citizens of Dearborn county, in relation to the sale of certain school lands in said county of Dearborn, have had that subject under consideration and have directed me to report the following bill, and respectfully recommend its passage :

No. 11. A bill providing for the sale of certain school lands in the county of Dearborn, belonging to Town. 9, Range 3, in Franklin county.

Was read a first time and ordered to a second reading.

Mr. Hamiiton made the following report :

MR. SPEAKER :

The select committee, to whom was referred the joint resolution of the House, No. 1, relative to the pre-payment of postage on irregular papers sent by mail, have had the same under consideration and have directed me to report to the House, the following substitute therefor, and recommend its passage :

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals.

Mr. Meredith moved to amend the amendment reported by the committee, by using the word "instruct," before the word "Senators."

Which was adopted.

The report of the committee, with the amendment, was then concurred in by the House, and the joint resolution was read a second time and ordered to be engrossed.

Mr. Morrison made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the county of Scott, praying that the Law might be so changed that the Supervisors shall make their returns to the Board, doing county business, on the first Monday in March, annually, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 12. A bill to enable the Supervisors of the county of Scott to make their returns to the Boards, doing county business, on the first Monday in March, annually.

Which was read a first time and ordered to a second reading.

Mr. Cole made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Miami and Wabash counties, praying for the passage

of a law extending the time for the final payment for certain school lands in Miami county, have had the subject under consideration, and have directed me to report the following bill and recommend its passage.

No. 13. A bill to extend the time for the final payment for certain school lands in Miami county and for other purposes.

Which was read a first time and ordered to a second reading.

RESOLUTIONS.

Mr. Cookerly offered the following resolution :

Resolved, That the committee on the judiciary, be instructed to inquire into the expediency of passing a law for the more speedy collection of all debts contracted after the first day of June, 1848.

Which was adopted.

Mr. Colip offered the following resolution :

Resolved, That the committee on education be instructed to enquire into expediency of changing the school laws regulating the sale of school lands, so as to authorize the sale of school lands in any Congressional township where a majority of the votes given at any annual election, shall be in favor thereof, and where notice of the intention of taking a vote for the sale of such lands has been given, as required by the present law, and to make it the duty of the township trustees, to give notice of the intention of taking such vote annually at the time of giving notice of holding the annual election, and also, to leave it to the discretion of the trustees to affix the minimum price at any amount they may think expedient, and that said committee report by bill or otherwise.

Which was adopted.

Mr. McKenzie offered the following resolution :

Resolved, That the certificates of election of the respective members of this House, be referred to the committee on elections.

Which was adopted.

The following message was received from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am instructed by the Senate, to inform the House of Representatives, that the Senate has concurred in the resolution of the House, appointing a committee to act with a similar committee on the part of the House, to wait upon the Agent of State, at his room in this city, to examine and count the Bonds of the State, which have been surrendered under an act approved, Jan. the 19th, 1846, and an act supplemental thereto, approved, January the 27th, 1847, and now in his possession.

Senators Howel and Ellis, were appointed said committee on the part of the Senate.

Mr. Orton offered the following resolution :

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the present law, as to empower masters in chancery to grant writs of injunction.

Which was not adopted.

Mr. Gooding offered the following resolution :

Resolved, That the committee on "Benevolent and Scientific Institutions," be instructed to enquire into the expediency and propriety of so changing the law in reference to the Deaf and Dumb Asylum, as that all mutes of this State, may be admitted to the benefits of said institution, free of charge, and report by bill or otherwise.

Which resolution was adopted.

Mr. Robinson offered the following resolution :

Resolved, That this House, the Senate concurring therein, proceed to elect one State Agent and one Canal Trustee, on Monday next, at half past 2 o'clock.

Mr. Dole moved to strike out the "State Agent;"

Which motion was sustained by the House.

Mr. Cookerly moved to insert "Commissioner of the Vincennes and New Albany road."

Which was also sustained.

The resolution was then adopted by the House, as amended.

Mr. Frazer offered the following resolution :

Resolved, That the committee on the judiciary, be and it is hereby instructed, to enquire into the expediency of so amending our execution law, that personal property taken in execution, when turned out by the execution defendant, may be sold for the highest price, which the same will bring, and when turned out by the execution plaintiff, for one-half of its appraised value, or whether any modification whatever of our execution laws is proper, and to report by bill or otherwise.

Which was adopted.

Mr. Robinson offered the following resolution :

Resolved, That the judiciary committee be requested to report to this House, a bill giving exclusive jurisdiction to the several Justices of the Peace, in the several counties of the State, in all cases of assault and battery.

Which was adopted.

BILLS AND JOINT RESOLUTIONS.

Bills and joint resolutions were introduced as follows :

By Mr. Cole,

No. 14. A joint resolution to postpone the public sales of land in the Miami Reserve.

Which was read a first time, and ordered to a second reading.

By Mr. Widney,

No. 15. A bill explanatory of an act, entitled "an act, defining the duties of County Treasurer, in certain cases," approved, Jan. 13th, 1845.

Which was read a first time and ordered to a second reading.

By Mr. Frazer,

No. 16. A bill to amend an act therein named.

Which was read a first time and ordered to a second reading.

By Mr. Orr,

No. 17. A bill explanatory of the meaning of the 159th section of the 47th chapter of the Revised Statutes, and for other purposes.

Which was read a first time and ordered to a second reading.

By Mr. Short,

No. 18. A bill to amend the 137th section of article 3, chapter 45, of the Revised Statutes of 1843.

Which was read a first time and ordered to a second reading.

BILLS ON SECOND READING.

No. 4. A bill to amend an act entitled an act, to establish a State road on a portion of the dividing line of the counties of DeKalb and Steuben, approved Jan. 2, 1847 ;

Was read a second time and ordered to be engrossed.

Mr. Harlan made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled bill of the House, with the engrossed bill, and have found the same correctly enrolled.

No. 3. An act for the collection of revenue in the county of Lake, for the year 1847.

No. 5. A bill to change the time of holding the Probate Courts of Clark county ;

Was read a second time and ordered to be engrossed.

No. 6. A bill authorising the sale of certain school lands in Franklin county ;

Was read a second time ; when,

Mr. Line moved to amend the bill by making it in force from and after its passage.

Which was adopted ;

And the bill as amended, was ordered to be engrossed.

No. 7. A bill to impose additional duties on the Prosecuting Attorneys in the several counties in the 12th Judicial Circuit of this State, and for other purposes.

Mr. Hamilton moved to amend as follows :

Amend by making the act general, and add the following section.

SECTION— That in all cases wherein the State is a party, taken to the Supreme Court, by appeal or otherwise, from the Circuit Courts, it shall be the privilege and right of the Prosecuting Attorney of the proper county, from whence the cause has been brought, to appear on behalf of the State in the Supreme Court, but if the proper Prosecuting Attorney of the county, shall fail to enter his appearance, then it shall be the duty of the Prosecuting Attorney of the county of Marion, to enter an appearance in and attend to such cases on behalf of the State, in the Supreme Court.

Which was adopted.

The bill as amended, was then referred to the judiciary committee.

No. 8. A bill to provide for assessing and collecting a road tax on lands and town lots, in Madison county;

Was read a second time.

Mr. Williams moved to suspend the rules for the purpose of reading the bill a third time.

Which did not prevail.

The bill was ordered to be engrossed for a third reading.

No. 9. A bill granting to the citizens of Rising Sun, a city charter.

Mr. Dole moved to refer the bill to the committee on corporations.

Which did not prevail.

On motion by Mr. Covington,

Said bill was referred to a select committee of three.

The Chair appointed Messrs. Covington, Hull, and Wolf, that committee.

No. 10. A bill to change the terms of the Daviess Probate Courts;

Was read a second time and ordered to be engrossed.

Bill of the Senate,

No. 5. A bill to change the time of holding the Probate Court in Dearborn county;

Was read a second time and ordered to a third reading.

Mr. Neal offered the following resolution, leave being granted therefor :

Resolved, That the committee on military affairs be instructed to enquire into the expediency of reporting a bill for the better organization of the militia of this State.

Which was adopted.

Leave being granted,

Mr. Terry presented the petition of Martin Fitzpatrick for the allowance of certain claims.

On leave being granted,
Mr. Widney presented the petition of R. J. Dawson and others,
for the location of a State road in Allen and DeKalb counties;

Which was referred to a select committee of Messrs. Widney,
Windstandley, and Harding;

On leave being granted,

Mr. Frazier introduced the following bill:

No. 19. A bill to repeal an act in relation to horses and jack-
asses;

Which was read a first time and ordered to a second reading.

On leave being granted,

Mr. Ford offered the following resolution:

Resolved, That the committee on elections be instructed to inquire
into the expediency of repealing or modifying the law confining
voters to their own townships, and that said committee report
by bill or otherwise.

Which was not adopted.

On leave being granted,

Mr. Frazer introduced the following bill:

No. 20. A bill declaring a misprint in an act to amend the prac-
tice in the Probate Court, approved January 28th, 1847;

Which was read a first time.

On motion by Mr. McDonald, of L.,

The bill was read a second time, the rules being suspended there-
for, and referred to the judiciary committee.

On motion by Mr. Cookerly,

The House adjourned.

2 o'clock P. M.

The House met.

The Speaker laid before the House the Annual Report of the In-
diana Institute for the Blind; which,

On motion by Mr. Harvey,

Was laid on the table and one thousand copies ordered to
be printed for the use of the House.

Mr. Brown moved to have five hundred additional copies printed
for the use of the Institute.

Which motion prevailed.

The following message was received from His Excellency the
Governor, by Mr. Sleeth, his private Secretary:

MR. SPEAKER :

I am directed by His Excellency the Governor, to inform the House of Representatives, that he has this day approved and signed bill No. 3, entitled an act for the collection of revenue in the county of Lake, for the year 1847, which originated in that body .

The following message was received from the Senate, by Mr. Cassatt, a Senator :

MR. SPEAKER :

I am instructed by the Senate to inform the House of Representatives, that the Senate has passed engrossed joint resolutions thereof entitled;

No. 9. A joint resolution for the reduction of the price of public lands in the Miami reserve;

No. 11. A joint resolution for the relief of John R. Jones and John D. Furgerson;

In which the concurrence of the House is respectfully requested.

Said joint resolution,

No. 9. A joint resolution for the reduction of the price of public land in the Miami Reserve,

Was read a first and second times,

The rules having been suspended, when,

Mr. Wolf moved a reference to the committee on ways and means.

Which motion did not prevail.

Mr. Harlan moved to refer the joint resolution, under consideration, to a select committee, to be composed of the members from the counties in the Miami Reserve.

Which motion did not prevail.

Mr. Stanton moved to amend by striking out the words "and more particularly our own citizens," at the close of the first paragraph of the preamble.

Which was adopted.

Mr. Wolf moved to amend by striking out the words "unjust and untrue."

Which was not adopted.

On motion by Mr. Neal,

The rules were suspended and the joint resolution read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Joint resolution of the Senate,

No. 11. A joint resolution for the relief of John R. Jones and John D. Ferguson,

Was read a first time, and,

On motion by Mr. Williams, of K.,

The rules were suspended and the joint resolution read a second and third times and passed.

Ordered, That the clerk inform the Senate thereof.

On leave granted,

Mr. Neal offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing a law, to be general in its character, regulating the fees and salaries of the county officers so as to make them more uniform, reducing them where it may be politic, on the principle of retrenchment and reform, with leave to report by bill or otherwise.

Which was not adopted.

On motion by Mr. Fuller,

The name of Mr. Kennard was added to the committee on military affairs.

On leave given,

Mr. Lane presented the petition of William N. Greer and others, in relation to partition fences in Dearborn county; which,

On motion by Mr. Lane,

Was referred to the committee on the judiciary.

Mr. Lane moved to take from the table the several reports from the branches of the State Bank of Indiana.

Which motion prevailed.

On motion by Mr. Lane,

Said reports were referred to the committee on the State Bank.

On leave granted,

Mr. Lane introduced the following bill :

No. 21. A bill to authorize the Dearborn county Probate Court to make certain orders and decrees therein named ;

Which was read a first time and ordered to a second reading.

Mr. Neal offered the following resolution :

Resolved, That the committee on elections be instructed to inquire into the expediency of repealing or modifying the law confining voters to their own townships, and that said committee report by bill or otherwise.

Which was not adopted.

Mr. Prather moved to take from the table the resolution in relation to electing a Sergeant-at-arms.

Which motion did not prevail.

On motion by Mr. Miller,

The House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, DECEMBER 11, 1847.

The House met.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the amendment of the House to engrossed joint resolution of the Senate, entitled —

No. 9. A joint resolution for the reduction of the price of public lands in the Miami Reserve.

The Speaker laid before the House the report of the Branch at Indianapolis of the State Bank of Indiana, which,

On motion by Mr. Cookerly,

Was referred to the committee on the State Bank.

Mr. Dunham, on leave granted, offered the following resolution :

Resolved, That the Senate be requested to return to this House a joint resolution for the relief of John R. Jones and John D. Ferguson, No. 11, for further consideration.

Which was adopted.

PETITIONS, REMONSTRANCES, &C.,

Were presented as follows :

By Mr. Miller,

A petition by Thos. Stanfield and others, for an increase of the pay of the Probate Judge in St. Joseph county ; which,

On motion by Mr. Miller,

Was referred to a select committee.

The Chair appointed Messrs. Miller, Stone, and Graham on said committee.

By Mr. Lane,

A petition from A. G. Tebbs and others, praying for a change in a certain State road therein named ;

Which was referred to the committee on roads.

By Mr. Richmond,

A petition from certain citizens of New London, in Howard co., praying for the incorporation of said town;

Which was referred to the committee on corporations.

By Mr. Chambers,

A petition from sundry citizens of Jefferson, Scott, and Jackson

counties, praying for the grant of a charter to a company to construct a turnpike road from Madison to Brownstown;

Which was referred to a select committee of Messrs. Chambers, Ford, Hunt, and Morrison.

On leave being granted,

Mr. Line offered the following resolution :

WHEREAS, 'The late disastrous flood has swept away and rendered entirely useless a large portion of the White Water canal ; AND WHEREAS, the people of the country along and near the line of said canal, do feel, most grievously, in consequence of the interruption in trade by such disaster ; AND WHEREAS, it is the duty of all governments to provide for the promotion of the interests and welfare of its subjects ; AND WHEREAS, from all the information that has come to hand, (unofficial, it is true,) the aforesaid canal company have not the available resources to repair said canal with that dispatch which the interest of all classes of citizens of south-western Indiana requires ; Therefore,

Resolved, That there be a committee of three appointed, whose duty it shall be to enquire into the propriety of obtaining from said canal company a surrender of their charter to the State, and that said committee be authorized to obtain all the facts and statistics as shall be in point in the case, and report to this House at its earliest convenience.

Which was adopted.

On leave granted,

Mr. Dimmett offered the following resolution :

Resolved, That the committee on roads be instructed to enquire into the propriety of the voters in the several road districts being confined to their several districts in voting for supervisors of roads, and report on the same.

Which was not adopted.

By Mr. Miller,

A petition and sundry resolutions of school district No. 5, township 37, in St. Joseph county, asking power to levy a larger amount of tax;

Which was referred to a select committee of Messrs. Miller, Thompson and Shryock.

By Mr. Mills,

A petition for a State road in Posey county ; which.

On motion by Mr. Nimmons,

Was referred to the committee on roads.

By Mr. Hankins,

A petition from sundry citizens of Fayette county, in relation to the tax on certain lands along the line of the Whitewater Valley Canal ; which,

On motion by Mr. Hankins,

Was referred to the committee on canals and internal improvement, with instructions—

“To inquire into the expediency of reporting a bill that shall exempt from taxation all lands that have been taken by the State for purposes of internal improvement, or for any other purpose.”

By Mr. Miller,

A petition from Collins Adams, asking compensation for serving a requisition from this State on fugitives from justice in Michigan.

Which was referred to the committee on claims.

REPORTS FROM COMMITTEES.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of Gabriel Graham and others, of Delaware county, praying that James F. Davis, of said county, be divorced from his wife, Louiza Davis, have had the same under consideration, and have directed me to report that the committee are of the opinion that it is inexpedient to legislate thereon, and that they therefore ask to be discharged from its further consideration.

Which was concurred in by the House.

Mr. Covington made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 9, entitled “an act granting to the citizens of Rising Sun a city charter,” have had the same under consideration, and directed me to report the same back without amendment, and respectfully recommend its passage.

No. 9. A bill granting the citizens of Rising Sun a city charter, Was ordered to be engrossed.

Mr. Short made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition of sundry citizens of Jackson county, praying to be attached to the county of Lawrence, have had the same under consideration, and beg leave to report (Mr. Ford dissenting from the majority of the committee) the following bill, and recommend its passage.

Mr. Ford moved that the House refuse to concur in the report.
Which motion prevailed.

Mr. Hamilton made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Andrew Dyer, Auditor of Decatur county, have authorized me to report the following bill, and ask its passage :

No. 22. A bill for the relief of the surplus revenue fund belonging to Decatur county;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

Mr. Widney made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Allen and De Kalb counties, praying for the location of a State road, have had the same under consideration, and have ordered me to report the following bill, and recommend its passage:

No. 23. A bill to locate a State road in the counties of Allen and DeKalb;

Which was read a first time and ordered to a second reading.

Mr. Brown offered the following resolution :

Resolved, That the committee on education be instructed to inquire into the expediency and practicability of (and if found expedient and practicable to report) a bill with the following general features:

1st. To establish a general system of free common schools in this State, *which shall be entirely free*.

2d. To reduce the number of officers and the expenses of superintending, collecting and disbursing the present school funds, so that the entire expenses and charges for superintending, collecting and disbursing the school funds, shall not exceed one per centum on the amount thereof.

3d. To provide that the majority of the voters in any township, in any county in this State, may, by voting in favor thereof, assess a poll tax on each poll in such township of any amount not exceeding thirty cents, and a property tax of any amount not exceeding two mills on the dollar, to be collected and applied in such township for school purposes, in conjunction with the school funds.

4th. To provide that a district director shall report to the town-

ship trustee, he to the County Auditor, and he to the Auditor of State, who shall report to the General Assemble at the annual sessions thereof, detailed statements of the funds on hand and expended, and how expended, the number of schools and scholars, with their ages, the length of time schools have been kept, their condition and prospects, with all matters directly connected with the system of free common schools and its success; each of said officers acting as superintendent of the schools within the bounds of their respective districts.

5th. To provide for a suitable standard of qualifications for teachers, and the appointment of school examiners by the circuit court, or otherwise, in each county.

Making the details of the bill as concise and clear as possible, so that the law may be easily understood, and its provisions carried out by all the people.

Which was adopted.

Mr. Dougherty offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of authorizing the associate judges to hold the probate court of their county, during the temporary absence of the probate judge, or his inability to hold said court, and that they report by bill or otherwise.

Which was adopted.

Mr. Neal offered the following resolution:

Resolved, That the committee on roads be instructed to report a bill amendatory of the road law, so as to require every able-bodied man, between the ages of 21 and 50 years, to work on the public highways two days in the year and no more, except to remove casual obstructions, or to repair bridges, which may be obstructed by casualties, but not deprive supervisors of the power of doubling the road tax on property as heretofore.

Mr. Dole moved to amend the resolution so as to make it a resolution of inquiry.

Which amendment was adopted, when,

On motion by Mr. Gooding,

The resolution and amendment were laid on the table.

Mr. May offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the statute for the preventing of frauds and perjuries on contracts, and in actions founded thereon, as to make it conclusive evidence of fraud, where persons, in failing circumstances, make conveyances of their property, and remain in possession of the same and exercise apparent ownership thereof, with leave to report by bill or otherwise.

Which was not adopted.

Mr. Colip offered the following resolution :

Resolved, That the committee on roads be instructed to inquire into the expediency of so amending the road laws as to require the two days labor for personal privileges to be performed, previous to the first day of June, and where a road tax of property is discharged by labor, the labor to be performed previous to the first day of November, and that they report by bill or otherwise.

Which was adopted.

Mr. Short offered the following resolution :

Resolved, That the committee on the judiciary be requested to inquire into the expediency of so amending the 6th section of article 1st, chapter 55, of the revised statutes of 1843, as to specify what is meant by other breaches of the peace.

Which was adopted.

Mr. Hamilton offered the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the expediency of revising and consolidating, in one act, all laws or parts of laws now in force, authorizing fees and salaries of the several state and county officers, and to equalize and reduce the same wherever it may be expedient and proper, and to arrange all fees and emoluments of office in accordance with the denominations of federal currency, and that said committee report by bill or otherwise.

Which was adopted.

Mr. Roache offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of enacting a law subjecting chases in action to the the payment of debts, and enabling the creditors to reach the same directly in the hands of the debtor or of the defendant by process similar to that now in force on the subject of garnishees in foreign and domestic attachment.

Which was adopted.

Mr. Short offered the following resolution :

Resolved, That the committee on the judiciary be requested to inquire into the expediency of repealing the law confining the voters to their respective townships.

Mr. Gooding moved to amend by requesting said committee also to inquire into the constitutionality of the present law.

Which was accepted by the mover.

The question then being on the adoption of the resolution,

It was decided in the negative.

Mr. Hamilton offered the following resolution :

Resolved, That the committee on benevolent and scientific insti-

tutions be instructed to inquire into the expediency of providing, by taxation, a sufficient fund to make the Institution for the Education of the Blind free to every proper application for the benefits of the same, within the State of Indiana, and that said committee make report in the premises to this House.

Which was adopted.

Mr. Harlan offered the following resolution :

Resolved, That the House will, the Senate concurring therein, proceed to elect two Bank Directors, on the part of the State, to fill the vacancies occasioned by the expiration of the term of the Hon. John F. Carr and the resignation of the Hon. Jacob Walker, at 3 o'clock, P. M., this day.

Which was,

On motion by Mr. Gooding,

Laid on the table.

Mr. Lane moved to reconsider the vote on the resolution referred to a select committee, in reference to the Whitewater canal, and to refer the same to the committee on canals and internal improvements.

Which motion prevailed, and the same was referred accordingly.

BILLS INTRODUCED.

Mr. Cookerly introduced bill

No. 24. A bill to fix the salaries of the trustees of the Wabash and Erie Canal;

Which was read a first and second times, the rules being suspended therefor, and referred to a select committee, consisting of Messrs. Cookerly, Dole and Harvey.

By Mr. Covington,

No. 25. A bill explanatory of an act entitled "an act to secure to Ohio county a share of the common school and surplus revenue funds, and for other purposes," approved January 3, 1847;

By Mr. Frazer,

No. 26. A bill to authorize the citizens of Jefferson township, Kosciusko county, to vote at any adjoining poll in their county ;

By Mr. Richmond,

No. 27. A bill authorizing the revaluation of lands in Monroe and Irvine townships, Howard county;

By Mr. Orr,

No. 28. A bill declaring a certain word in sec. 43, chap. 16, revised statute of 1843, a misprint;

Which were severally read a first time and ordered to a second reading.

On motion by Mr. Parker,

The House adjourned.

2 o'clock, P. M.

The House met,

The Speaker laid before the House the report of the commissioners of the sinking fund ; which,

On motion by Mr. Cookerly,

Was laid on the table and 500 copies ordered to be printed.

The Speaker also laid before the House the report of the Fort Wayne Branch of the State Bank.

Which was referred to the committee on the State Bank.

Also the report of the President of the State Bank ; which,

On motion by Mr. Dole,

Was laid on the table and 500 copies ordered to be printed.

Mr. Stanton moved to reconsider the vote of on printing the reports of the President of the State Bank and commissioners of the sinking fund.

Which prevailed ; when,

On motion by Mr. Stanton,

The same were ordered to be printed together in one pamphlet.

BILLS ON THIRD READING.

No. 5. (Senate.) A bill to change the time of holding probate courts in Dearborn county ;

Was read 3d time and passed.

Ordered, That the clerk inform the Senate thereof.

Joint resolution of the House

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals ;

No. 4. (House.) A bill to amend an act entitled an act to establish a State road on a portion of the dividing line between the counties of DeKalb and Steuben, approved January 2, 1847 ;

No. 5. A bill to change the time of holding probate courts in Clark county.

No. 6. A bill authorizing the sale of certain school land in Franklin county ;

No. 8. A bill to provide for assessing and collecting a road tax on lands and town lots in Madison county ;

No. 10. A bill to change the terms of the Daviess probate courts ;
Were severally read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

BILLS ON SECOND READING.

No. 11. A bill providing for the sale of certain school lands in

the county of Dearborn, belonging to town 9, range 3 in Franklin county;

Was read a second time and ordered to be engrossed.

No. 12. A bill to enable the supervisors of the county of Scott to make their returns to the board doing county business on the first Monday in March annually.

Was read a second time, and,

On motion by Mr. Harvey,

Referred to the committee on roads, with instructions to inquire into the expediency of making the law general.

No. 13. A bill to extend the time for the final payment for certain school lands in Miami county, and other purposes;

Was read a second time and ordered to be engrossed.

No. 14. A joint resolution to postpone the public sales of land in the Miami Reserve;

Was read a second time, and,

On motion by Mr. Cole,

The rules were suspended, and the joint resolution read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 15. A bill explaining an act entitled an act defining the duties of county treasurers in certain cases, approved January 13, 1845.

Was read a second time, and,

On motion by Mr. Harvey,

Was referred to the committee on ways and means;

No. 16. A bill to amend an act therein named,

Was read a second time, when,

Mr. Lane moved to refer the bill to the committee on roads,

Which did not prevail.

On motion by Mr. Frazer,

The same was referred to a select committee.

The Speaker appointed Messrs. Miller, Nimmons, Widney, Frazer, Parker, Swihart, and McDonald, of A., said committee.

No. 17. A bill explanatory of the 15th section of the 47th chapter of the revised statutes, and for other purposes;

Was read a second time, and,

On motion by Mr. Harvey,

Referred to the judiciary committee.

No. 18. A bill to amend the 137th section of article 3, chapter 45th, of the revised statutes of 1843;

Was read a second time, and,

On motion by Mr. Dole,

Referred to the judiciary committee.

No. 19. A bill to to repeal an act relative to horses and jackasses.

Was read a second time.

Mr. Cookerly moved to refer the bill to the committee on agriculture.

Which did not prevail.

The bill was then ordered to be engrossed.

No. 21. A bill to authorize the Dearborn circuit court to make certain orders and decrees therein named;

Was read a second time and ordered to be engrossed.

The following message was received from the Senate, by Mr. Test, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills thereof, entitled as follows :

No. 6. An act to authorize Hiram S. Brady of Laporte county to file his bill in chancery;

No. 12. An act authorizing the Secretary of State to send to the county of Allen an additional number of copies of the laws of the State;

In which the concurrence of the House is respectfully requested.

Bill No. 6 in said message mentioned, was read a first time, and,

On motion by Mr. Orton,

The rules were suspended, and the bill read a second and third times and passed.

Ordered, That the clerk inform the Senate thereof.

Bill No. 12 in said message was read a first time and ordered to a second reading.

On motion,

The House adjourned.

MONDAY MORNING, DECEMBER 13, 1847.

The House met pursuant to adjournment.

PETITIONS, MEMORIALS, &C.

By Mr. Hull,

Four several petitions from sundry citizens of Jefferson and Ripley counties, praying for the passage of an act incorporating a company to construct a McAdamized road from Madison &c., which were,

On motion by Mr. Hull,

Referred to the committee on corporations.

By Mr. Covington,

A remonstrance from certain citizens of Rising Sun and vicinity against granting said town a city charter; which was,

On motion by Mr. Covington,

Laid on the table.

By Mr. Ford,

A petition from citizens of Jackson county asking a charter for a turnpike road from Brownstown in said county to Madison;

Which was referred to a select committee of Messrs. Chambers, Ford, Hunt, and Morrison.

By Mr. McDonald of A.

The petition of Henry Norton and 60 others, praying authority for S. S. Millikan to build a dam across Salamonia river in Wells county;

Which was referred to a select committee of Messrs. McDonald of A., Rulon, and Prather.

By Mr. Baldwin,

A petition from sundry citizens of Wayne and the adjoining counties asking for a law giving justices of the peace exclusive jurisdiction in certain offences, which;

On motion by Mr. Gooding,

Was referred to the judiciary committee.

REPORTS FROM COMMITTEES.

Mr. Miller, from a select committee, made the following report:

MR. SPEAKER:

The select committee to which was referred the petition of sundry citizens of St. Joseph county in relation to granting additional compensation to the probate judge of said county, have had the same under consideration and have directed me to report the accompanying bill and respectfully recommend its passage;

No. 29. A bill granting additional compensation to the probate judge of St. Joseph county;

Which,

On motion by Mr. Miller,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

RESOLUTIONS.

Mr. Prather offered the following resolution:

Resolved, That a select committee be appointed to report a bill changing the mode of assessing and collecting taxes in Jennings county so as to assess and collect by townships;

Which was adopted.

Whereupon, Messrs. Prather, Hull, and Blythe, were appointed that committee.

On motion by Mr. Neal,

Resolved, That the committee on roads be instructed to enquire into the expediency of reporting a bill revising and amending the road laws, or so much of them as they deem fit, making them less complicated, and report by bill or otherwise.

On motion by Mr. Brown,

Resolved, That the use of this Hall be granted to the Indiana Colonization Society on to-morrow (Tuesday) evening for holding its anniversary meeting, and hearing the address of Gov. Wallace.

Mr. Graham offered the following resolution :

Resolved, That the judiciary committee be instructed to prepare and report to this House, a bill to organize circuit probate courts for the State and for the appointment in each circuit, a judge with such modifications of the laws now in force regulating the settlement of decedents' estates, as may be deemed expedient.

Mr. Cookerly moved to amend by instructing the committee to "enquire into the expediency."

Which was accepted by the mover.

Mr. Gooding moved to amend by striking out the word "appointment" and inserting "election by the people."

Which was accepted by the mover.

Mr. Hamilton moved further to amend by appointing a county administrator.

Which was not adopted.

Mr. Slater moved to lay the resolution on the table.

Which motion did not prevail.

Mr. Lowe moved to amend so that the judiciary committee should enquire into the expediency of devising a new system of doing probate business and report by bill or otherwise.

Which was agreed to by the House.

The resolution as amended was adopted.

Mr. Lockwood offered the following resolution:

Resolved, That the Speaker appoint a committee of three to wait on the editors of the State Journal and State Sentinel and see if there can be any arrangement made by which papers can find their final destination to the several counties in this State, and report the same to this House.

Which was adopted.

Whereupon, the Speaker appointed Messrs. Lockwood, Orr, and Chambers that committee.

On motion by Mr. Goodman;

Resolved, That a select committee be appointed to enquire whether it be expedient, and if so, if any further legislation be necessary, to exempt the volunteers and enlisted soldiers of Indiana in the Mexican war, from a tax.

Mr. Sullivan offered the following resolution :

WHEREAS, public opinion seems to indicate that some steps should be taken by the present Legislature towards the construction of a canal on the Indiana side, at the falls of the Ohio river, either by the State herself, or by an act of incorporation to a company to construct said work;

AND WHEREAS, doubts have been entertained whether the State of Indiana should surrender so important a work, which promises such rich rewards to enterprise, to a corporation ; therefore,

Resolved, That the committee on canals and internal improvements be instructed to enquire into the probable cost and advantage to the State of a canal around the falls of the Ohio river on the Indiana shore, of sufficient capacity to enable boats of the largest class to pass through in safety, and whether it be within the means of the State to construct the same at this time; and if not, to enquire into the expediency and propriety of granting a charter to a company for that purpose—with leave to report by bill or otherwise.

Which was adopted.

Mr. Brown offered the following resolution :

Resolved, That the judiciary committee be instructed to report a bill giving to justices of the peace in the several counties in this State exclusive jurisdiction over all offences, the punishment of which is fine of five dollars or less, and that on the trial of all such cases, before such justices of the peace, the defendant shall be entitled to a jury of six, if he demand it; and that said committee report by bill or otherwise.

Mr. Fuller moved to amend so as to make it a resolution of enquiry as to the expediency of the law proposed.

Which prevailed.

The resolution as amended was then adopted.

Mr. Widney offered the following resolution :

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law as to allow witnesses regularly subpoenaed to attend the circuit courts in behalf of the State, the same per diem fee allowed to witnesses in civil cases, without regard to the event of the suit, such fee to be paid out of the county treasury—and that said committee report by bill or otherwise.

Which was not adopted.

BILLS AND JOINT RESOLUTIONS.

Mr. Covington introduced,

No. 30. A joint resolution in relation to increasing the clothing pay of non-commissioned officers and privates belonging to our armies in Mexico.

Which was read three several times, the rules being suspended therefor and passed.

Ordered, That the clerk inform the Senate thereof.

Bills were introduced.

By Mr. McDonald of L.

No. 31. A bill relative to Probate Judges in the county of Porter.

By Mr. Hervey.

No. 32. A bill to amend the statute regulating the granting of divorces.

By Mr. Trimby.

No. 33. A bill to amend an act entitled, "An act to incorporate the college corner and Liberty turnpike company &c."

By Mr. Graham.

No. 34. A bill to change the mode of electing county commissioners in the county of Pike.

By Mr. Harding.

No. 35. A bill in relation to the road laws.

By Mr. Danner.

No. 36. A bill to dispense with the road tax in Orange county.

By Mr. Hankins.

No. 37. A bill to incorporate Connersville hotel company.

Were severally read a first time and ordered to a second reading.

By Mr. Stanton.

No. 38. A bill to amend the 4th section of the 47th chapter of the Revised Statutes of 1843.

Which was read a first time when Mr. Stanton moved to suspend the rules and read the bill a second time now.

Which motion did not prevail.

And the bill was ordered to a second reading.

By Mr. Blythe.

No. 39. A bill to amend an act entitled an act granting to the citizens of the town of Evansville a city charter, approved January 27. 1847.

Which was,

On motion by Mr. Blythe,

Read three several times, the rules being suspended therefor and passed.

Ordered, That the clerk inform the Senate thereof.

By Mr. Orr.

No. 41. A bill for the election of township assessors in the county of Delaware.

Which was read a first time.

On motion by Mr. Lowe,

The rules were suspended and the bill was read a second time.

On motion by Mr. Lockwood,

The county of Green was inserted in the bill.

On motion by Mr. Lockwood,

The bill was referred to a select committee of Messrs. Cookerly, Orr, Lowe, and Dobson.

Messrs. Lockwood and Gooding were also added to said committee.

By Mr. Keiser.

No. 40. A bill to encourage the growth of cranberries in the county of Allen and for the protection of cranberry marshes.

By Mr. Bryant.

No. 42. A bill to provide for the selection of petit juries in the county of Warren.

By Mr. Lowe.

No. 43. A bill for the relief of Dorothy Owens and others.

By Mr. Ford.

No. 44. A bill relative to elections in Jackson county.

By Mr. McDonald of L.

No. 45. A bill to extend the jurisdiction of justices of the peace in the counties of Lake and Porter.

By Mr. McKenzie.

No. 46. A bill to fix the time of holding the probate courts in the county of Putnan.

Which were severally read a first time and ordered to a second reading.

By Mr. Cole.

No. 47. A bill to provide for the election of supervisors by districts in the county of Miami.

Which was read a first time.

On motion by Mr. Cole.

The rules were suspended and the bill read a second time.

On motion by Mr. Dimmitt.

The bill was amended by adding Montgomery county.

And was ordered to be engrossed.

ORDERS OF THE DAY.

No. 11. A bill providing for the sale of certain school lands in the county of Dearborn, belonging to town 9, range 3 west in Franklin county.

No. 13. A bill to extend the time for the final payment for certain school lands in Miami county and for other purposes.

No. 19. A bill to repeal an act in relation to horses and jackasses.

No. 22. A Bill for the relief of the surplus revenue fund belonging to Decatur county.

Were severally read a third time and passed.

Ordered that the clerk inform the Senate thereof.

No. 12. A bill (of the Senate,) authorizing the Secretary of State to send to the county of Allen an additional number of copies of the laws of the State.

Was read a second time and ordered to a third reading.

No. 23. A bill (of the House,) to locate a State road in the counties of Allen and De Kalb.

No. 25. A bill explanatory of an act entitled, "An act to secure to Ohio county a share of the common school and surplus revenue funds and for other purposes, approved January 6, 1847."

Were severally read a second time and ordered to be engrossed.

No. 26. A bill to authorize the voters of Jefferson township Kosciusko county, to vote at any adjoining poll in their county.

Was read a second time and,

On motion by Mr. Frazer.

Was referred to a select committee.

Messrs. Frazer, Harvey and Huddleston were appointed said committee.

No. 27. A bill authorizing revaluation of lands in Monroe and Irvin townships, Howard county.

No. 28. A bill declaring a certain word in section 43, chapter 16, revised statutes 1843.

Were severally read a second time and ordered to be engrossed.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills thereof entitled as follows:

No. 15. An act prescribing the mode of selecting petit jurors in the county of Jay, and,

No. 19. An act to amend the charter of the city of New Albany.

In which the concurrence of the House is respectfully requested.

No. 15 in said message mentioned was read a first time and ordered to a second reading.

No. 19 was read a first time.

On motion by Mr. Winstanley,

The rules were suspended and the bill read a second time, and referred to a select committee of Messrs. Winstanley, Hull and Widney.

On motion

The House adjourned

2 o'clock, P. M.

House met.

The Speaker laid before the House certain resolutions of the Common School State Convention.

The following message was received from the Senate, by Mr. Holloway, a Senator.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution thereof:

Resolved, That the Senate will (the House of Representatives concurring therein) proceed with closed doors on to-morrow, Tuesday, the 14th inst., at 10 o'clock, A. M., to the election of two Bank Directors on the part of the State—one to fill the vacancy occasioned by the expiration of the term of service of John F. Carr, the other to fill the vacancy occasioned by the resignation of Jacob Walker.

In which the House concurred.

Ordered, That the clerk inform the Senate thereof.

Mr. Robinson moved that the resolutions of the Common School State Convention, be referred to the committee on education.

Which motion prevailed.

On leave being granted,

Mr. Williams introduced,

Bill No. 48. An act to reduce the fees of the clerks in the probate court.

Which was read a first time and ordered to a second reading.

Leave being granted, Mr. Brown introduced,

Bill No. 49. To create the office of Attorney General and to prescribe his duties.

Which was read a first time and ordered to a second reading.

Mr. Slater moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

On motion by Mr. Fuller,

The House adjourned.

TUESDAY MORNING, DECEMBER 14th, 1847.

The House met.

Mr. Cookerly moved to dispense with the reading of the journal. Which did not prevail.

The following message was received from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House.

That the House will, the Senate concurring therein, proceed to elect (1) a Trustee on behalf of the State, of the Wabash and Erie canal, and also a commissioner of the New Albany and Vincennes McAdamized road (2) (on Monday next,) at half past two o'clock, P. M., with the following amendments :

(1.) To insert before the word "a Trustee," the words "a State Agent and"

(2.) To strike out the words "on Monday next" and insert "on Tuesday next" being the 14th of December, 1847.

In which amendments the concurrence of the House is respectfully requested;

Which amendments,

On motion by Mr. Little,

Were concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

Leave being granted,

Mr. Neal offered the following joint resolution :

No. 50. A joint resolution relative to the adjournment of the Legislature, on account of the small pox.

Mr. Cookerly moved to lay the joint resolution on the table;

Which was decided by the Speaker to be out of order.

On motion by Mr. Lane,

The rules were suspended, and the joint resolution read a second time; and,

On motion,

The joint resolution was referred to a select committee, composed of Messrs. Hunt, Shyroek, Nimmons, Dobson and Trimble.

PETITIONS.

By. Mr. Dobson,

A petition from sundry citizens of Owen county, relative to a debt due the Branch Bank at Terre Haute.

Mr. Dobson moved that a committee of seven be appointed to inquire into the expediency of investigating the causes of complaint set forth in the petition against said Bank, with power to send for persons and papers;

Which prevailed.

Mr. Gooding moved a reconsideration of the vote just given.

Which prevailed.

Mr. Meredith moved to refer the petition to the committee on the State Bank.

Which did not prevail.

Mr. Cookerly then moved to amend the motion and instructions of Mr. Dobson, by striking out "the power to send for persons and papers."

The motion of Mr. Dobson for a reference to a select committee, with the instructions as amended, then prevailed.

The Speaker then appointed on said committee,

Messrs. Dobson, Lowe, McKenzie, Roach, McCormick, Williams of M. and Lockwood.

By Mr. Williams of M.

The petition of Bazil Neely and others, praying for the opening of a state road therein named.

Which was,

On motion by Mr. Williams,

Referred to the committee on roads.

A message was received from the Senate, announcing the passage of sundry bills, by Mr. Test, their Secretary, which was laid on the table.

On motion by Mr. Smiley,

The House took up bill of the Senate in said report contained.

No. 33. A bill to amend an act entitled an act to incorporate the Lafayette Bridge Company, approved January 13, 1845.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Gooding offered the following resolution : ~~Resolved~~

Resolved. That the Clerk of this House inform the Senate that this House is now ready to proceed, with closed doors, to the election of two State Bank Directors; one to fill the vacancy occasioned by the resignation of Jacob Walker, and one to succeed John F. Carr, whose term of service has expired.

Which was adopted.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that they have reciprocated the resolution of the House, to

proceed, with closed doors, to the election of two Bank Directors, to fill the vacancies of John F. Carr and Jacob Walker.

Mr. Little moved a call of the House;

Which was ordered.

Messrs. Kinney and Harlan were excused.

Mr. Neal moved to suspend the further call.

Which did not prevail.

On motion by Mr. Cookerly,

The further call was suspended.

The hour having arrived, the House then proceeded to the election of a Bank Director, on the part of the State, to fill the vacancy occasioned by the expiration of the term of service of the Hon. John F. Carr.

Messrs. Parker and Dobson were appointed tellers.

On counting the first ballot it appeared that

| | | | | | | | | |
|-----------------------|---|---|---|---|---|---|---|-----------|
| John F. Carr received | - | - | - | - | - | - | - | 46 votes. |
| George Henry received | - | - | - | - | - | - | - | 49 votes. |
| Blank, | - | - | - | - | - | - | - | 2 votes. |
| Dunn, | - | - | - | - | - | - | - | 1 vote. |

No person having received a majority of all the votes given, the House proceeded to a second balloting, which resulted as follows :

| | | | | | | | | |
|-----------------------|---|---|---|---|---|---|---|-----------|
| George Henry received | - | - | - | - | - | - | - | 50 votes: |
| John F. Carr received | - | - | - | - | - | - | - | 47 votes. |
| Blank, | - | - | - | - | - | - | - | 1 vote. |

Mr. George Henry having received a majority of all the votes given, was declared by the Speaker to be duly elected, on the part of the House, to serve as Bank Director of the State Bank of Indiana, for and during the term of four years from and after the expiration of the term of service of the present incumbent.

The following sealed message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to deliver to the House of Representatives, the accompanying sealed message, in relation to the election of a Director, on the part of the State, of the State Bank of Indiana.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that at an election held by the Senate, with closed doors, in

pursuance of a resolution of the two Houses, for the purpose of electing a Director of the State Bank of Indiana, to fill the vacancy occasioned by the expiration of the term of service of John F. Carr, said John F. Carr received on the first separate balloting, a majority of all the votes given, and was therefore declared duly elected, on the part of the Senate, a Director of the State Bank of Indiana, to serve as such for the term of four years, from and after the expiration of the term of service of said John F. Carr.

The two Houses having failed to agree, the House proceeded to ballot a second time. On the first ballot,

| | | | | | | | | |
|------------------------|---|---|---|---|---|---|---|-----------|
| George Henry received | - | - | - | - | - | - | - | 47 votes. |
| John F. Carr received | - | - | - | - | - | - | - | 46 votes. |
| Mr. Rochester received | - | - | - | - | - | - | - | 3 votes. |
| Mr. Parker received | - | - | - | - | - | - | - | 1 vote. |

No one having received a majority of the votes given, the House proceeded to a second balloting, the result of which is as follows :

| | | | | | | | | |
|-----------------------|---|---|---|---|---|---|---|-----------|
| George Henry received | - | - | - | - | - | - | - | 50 votes. |
| John F. Carr received | - | - | - | - | - | - | - | 48 votes. |

Mr. Henry having received a majority of the votes given, was declared by the Speaker to be duly elected, on the part of the House, Bank Director of the State Bank of Indiana, to serve as such for the term of four years, from and after the expiration of the term of service of the present incumbent.

The following message was received from the Senate by their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate is now ready to adjourn until the usual hour, with the concurrence of the House of Representatives.

Which was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives, that he has adjourned the ballotings, on the

part of the Senate, for Bank Director, until to-morrow, (Wednesday) ten o'clock, A. M., under the 13th joint rule for conducting business in the two Houses of the General Assembly of Indiana.

On motion by Mr. Harvey,
The House adjourned.

2 o'clock, P. M.

The House met.

Mr. Hunt from a select committee, made the following report, which was concurred in by the House.

MR. SPEAKER :

The select committee to whom was referred a resolution of the House, relating to the adjournment of the Legislature in consequence of the existence of a case of small pox in this city, have had the subject under consideration, and directed me to report that the committee believe there would be no less danger in the course contemplated by said resolution, than in remaining in this place during the remainder of the contemplated session. The committee, however, believe that with proper precaution on the part of the city authorities, as well as individual members, no great danger need be apprehended.

No. 50. The joint resolution referred to in said report was read a second time, and,

On motion by Mr. Meredith,

Was laid on the table.

On leave granted,

Mr. Robinson offered the following resolution,

Which was adopted.

Resolved, That the Clerk inform the Senate that the House is now ready to go into the election for the office of State Agent, Canal Trustee and Commissioner of the New Albany and Vincennes road, and request their attendance immediately in the Representatives' Hall, and that seats be provided on the right of the Speaker's chair.

Leave being granted therefor,

Mr. Dunham introduced,

No. 51. A bill to repeal so much of Art. 4, Chapt. 37, Revised Code of 1843, as makes the Sheriff of Supreme Court liable for the acts of county Sheriffs and Coroners.

Which was read a first and second times, the rules being suspended therefor, and referred to a select committee of Messrs. Dunham, Hull and Roache.

On leave granted,

Mr. Orr introduced,

No. 52. A bill for the selecting of jurors in the county of Delaware.

Which was read a first time and ordered to a second reading.

By leave,

Mr. Lockwood made the following report :

MR. SPEAKER :

The select committee to whom was referred a resolution to wait on the editors of the State Journal and State Sentinel, beg leave to make the following report: That we had an interview with said editors, and they state that they will mail all papers for the members of this House, by the members leaving a list of names (weekly) for each day's publication, in their respective offices.

Which was concurred in.

On leave granted,

Mr. Robinson made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Rush and Shelby counties, praying for the location of a state road from the Roman Chapel, in Shelby county, until it intersects the state road leading from Andersonville, have had the same under consideration and have directed me to report the following bill and recommend its passage.

Bill No. 53. In said report mentioned was then read a first time and ordered to a second reading.

On leave granted,

Mr. Hull introduced,

No. 54. A bill for the relief of the executors of the will of Samuel Glass, deceased, and to secure the title to purchasers of lands sold by said executors;

Which was read a first and second time, the rules being suspended therefor, and ordered to be engrossed.

Mr. Windstandly made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No. 19, entitled, "An act to amend the charter of the city of New Albany," have had the same under consideration, and have directed

me to report the same back, with the following amendments, and recommend its passage.

Amend by inserting after the word sums, in the 1st section, 10th line of the bill, the words "not less than one hundred dollars each," and the 3d line of the 2d section, before the word Democrat "New Albany."

Said amendments were concurred in by the House, and the bill as amended was ordered to a third reading.

It being half past 2 o'clock, the honr agreed on for that purpose, the Senate came in and took the seats provided for them on the right of the Speaker's chair, and the two Houses in joint convention, proceeded to the election of State Agent, voting viva voce.

The following are the votes upon the first count :

Those who voted for Mr. Collins are.

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Hubbard, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbrike, Walpole, Winchell, Zenor. Albin, Baldwin, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, DeBruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson. Williams of Madison, and Mr. Speaker.—74.

Those who voted for Mr. Test are

Messrs. Barbour, Berry, Coates, Day, English, Green, Handy, Hardin, Henry, Howel, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read, Stewart, Taber, Waters, Armstrong, Blackstone, Campbell, Carr, Chambers, Covington, Danner, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keizer, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Tinbrook, Trimby, Widney, Winstandley, Wolf—71.

Those who voted for Mr. Ewing are,

Messrs. Houghton and Williams of Knox.—2.

Those who voted for Mr. Major are,

Messrs. Robinson and Hamilton.—2.

No one having received a majority of the votes given, the convention proceeded to a second vote, which was as follows :

Those who voted for Mr. Collins are,

Messrs. Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Rousseau, Simpson, Verbriek, Walpole, Winchell, Zenor,—Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, De Bruler, Dole, Dougherty, Doyle, Ford, Frazer, Gooding, Gordon, Graham, Hankins, Hardin, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, McCormick, McKenzie, Meredith, Miller, Morrison, Neal, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Madison, Winstandley, and Mr. Speaker.—82.

Those who voted for Mr. Test are,

Messrs. Hardin, Marsh, Martin, Morrison, Taber, Davis and Dimmet—7.

Those who voted for Mr. Hammond are,

Messrs. Barbour, Berry and Stewart—3.

Those who voted for Mr. Dowling are,

Messrs. Coats, Henry, Howell, Miller, Milligan, Read, Armstrong, Chambers, Dobson, Hetfield, Holden, Jones of Bartholomew, Lichteberger, Line, May, McConnel, Shryock, Smiley, Williams of Knox, and Wolf.—20.

Those who voted for Mr. Pitcher are,

Messrs. Fuller, McDonald of Lake, Mills. —3.

Mr. Short voted for Mr. Ewing.

Those who voted for Mr. Major are,

Messrs. Day, English, Green, Handy, Huffstetter, Malott, McCarty, Millikin, Randall, Robinson, Waters, Campbell, Covington, Criswell, Danner, Dunham, Goodman, Hall, Hamilton, Harlan, Jones of Switzerland, Keizer, Kernard, Lowe, Major, McDonald of Adams, Norris, Rulon, Slater, Tinbrook, Trimble, Widney.—32.

James Collins, Jr. having received a majority of the votes given, was declared duly elected State Agent, to serve as such for the term of two years, from and after the expiration of the term of service of the present incumbent.

The Convention then proceeded to the election of a Canal Trustee.

The first ballot resulted as follows :

| | | | | | | |
|---------------------------|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | 19 votes. |
| Henry C. Moore received | - | - | - | - | - | 5 votes. |
| James G. Jones received | - | - | - | - | - | 18 votes. |
| Samuel Hanna received | - | - | - | - | - | 29 votes. |
| James T. Moffatt received | - | - | - | - | - | 14 votes. |
| Austin M. Puett received | - | - | - | - | - | 20 votes. |
| Nathan B. Palmer received | - | - | - | - | - | 41 votes. |
| Bazil Brown received | - | - | - | - | - | 1 vote. |
| John H. Bradley received | - | - | - | - | - | 2 votes. |
| —— Graham received | - | - | - | - | - | 1 vote. |

No gentleman having received a majority of all the votes given, the convention proceeded to a second balloting. Upon which,

| | | | | | | |
|---------------------------|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | 20 votes. |
| Henry C. Moore received | - | - | - | - | - | 2 votes. |
| James G. Jones received | - | - | - | - | - | 19 votes. |
| Samuel Hanna received | - | - | - | - | - | 27 votes. |
| James T. Moffatt received | - | - | - | - | - | 11 votes. |
| Austin M. Puett received | - | - | - | - | - | 22 votes. |
| Nathan B. Palmer received | - | - | - | - | - | 37 votes. |
| John H. Bradley received | - | - | - | - | - | 9 votes. |
| —— Pitcher received | - | - | - | - | - | 1 vote. |
| —— Graham received | - | - | - | - | - | 1 vote. |
| Blank, | - | - | - | - | - | 1 vote. |

No gentleman having received a majority of all the votes given, the convention proceeded to a third balloting. Upon which,

| | | | | | | |
|---------------------------|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | 33 votes. |
| James G. Jones received | - | - | - | - | - | 21 votes. |
| Samuel Hanna received | - | - | - | - | - | 26 votes. |
| James T. Moffat received | - | - | - | - | - | 5 votes. |
| Austin M. Puett received | - | - | - | - | - | 28 votes. |
| Nathan B. Palmer received | - | - | - | - | - | 26 votes. |
| John H. Bradley received | - | - | - | - | - | 7 votes. |
| —— Graham received | - | - | - | - | - | 1 vote. |
| Blank, | - | - | - | - | - | 3 votes. |

No gentleman having received a majority of all the votes given, the convention proceeded to a fourth balloting. Upon which,

| | | | | | | |
|---------------------------|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | 43 votes. |
| James G. Jones received | - | - | - | - | - | 19 votes. |
| Samuel Hanna received | - | - | - | - | - | 25 votes. |
| Austin M. Puett received | - | - | - | - | - | 31 votes. |
| Nathan B. Palmer received | - | - | - | - | - | 14 votes. |
| John H. Bradley received | - | - | - | - | - | 3 votes. |
| Scattering, | - | - | - | - | - | 6 votes. |

No person having received a majority of the votes given, the convention was adjourned till to-morrow at half past 2 o'clock, P. M.

The Senate then retired to their chamber.

On motion by Mr. Harvey,

The House adjourned.

WEDNESDAY MORNING, DECEMBER 15, 1847.

The House met pursuant to adjournment.

On motion,

The journal was not read.

The Speaker laid before the House the second annual report of the Warden of the Indiana State prison; which,

On motion by Mr. Dole,

Was laid on the table, and 500 copies ordered to be printed for the use of the House.

PETITIONS &C.

By Mr. Miller,

A petition from sundry citizens in South Bend, in relation to the laying out of certain lots in said town; which,

On motion,

Was referred to a select committee of Messrs. Miller, Hunt, and Stone.

By Mr. Campbell,

A petition from a large number of Germans, praying for a portion of the school fund for the purpose of establishing German schools; which,

On motion by Mr. Orton,

Was referred to the committee on education.

By Mr. Mills,

A petition from Seth M. Leavenworth, administrator, asking

for an allowance to the estate of Mr. Edson, for services rendered in his life time, as Prosecuting Attorney.

Which was referred to the committee on claims.

By Mr. Thompson, of G.,

The petition of Susan Tennel, for divorce; which,

On motion by Mr. Neal,

Was laid on the table.

By Mr. Porter,

The petition of G. W. Crosier and others, praying for a change in the law incorporating towns.

Which was referred to the committee on corporations.

Also, the petition of John Formon, for a divorce; which,

On motion by Mr. Gooding,

Was laid on the table.

By Mr. Criswell,

A petition from sundry citizens of Ripley and Jennings counties, relative to a State road therein named; which,

On motion by Mr. Prather,

Was referred to a select committee, consisting of Messrs. Criswell, Prather, and Neff.

Also, a remonstrance from sundry citizens of the same counties, against any change in the road, as prayad for in said petition.

Which was refered to the same select committee.

REPORTS FROM COMMITTEES.

Mr. Orton made the following report :

Which was concurred in by the House.

MR. SPEAKER :

The committee on the judiciary, to whom was referred the following petition, of Harmon Kress, instruct me to report as follows : that they deem it inexpedient to grant the prayer of the petitioner.

Mr. Cookerly made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred the petition of George Green and others, praying a repeal of an act of 1846 relative to partnership fences, have had the same under consideration, and have directed me to report that it is inexpedient to grant the prayer of said petition.

On motion by Mr. Slater,

The petition referred to in said report, was referred to the committee on agriculture.

Mr. Smiley made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of Collins Adams, of St. Joseph county, asking an allowance of fifty dollars for his expenses and services in serving a requisition from the Governor of this State, on Thos. C. Higgins and James Higgins, fugitives from justice from this State, and who fled to the State of Michigan, and in conveying said fugitives to said county of St. Joseph, have had that subject under consideration and instructed me to report the following bill, and respectfully recommend its passage :

No. 55. A bill for the relief of Collins Adams, of St. Joseph county.

Was read a first time and ordered to a second reading.

The following message was received from the Senate by Mr. Winchell, a Senator.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed an engrossed bill thereof entitled,

No. 40. An act giving further time for the settlement of the revenues of Delaware county.

In which the concurrence of the House is respectfully requested.

Bill, No. 40, in said message contained, was read three several times, the rules being suspended therefor and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Miller made the following report :

Which was concurred in by the House.

MR. SPEAKER :

The committee on roads, to whom was referred a petition of sundry citizens of Delaware and Randolph counties, asking for the location of a certain State road on the line which divides the said counties of Dearborn and Randolph, have had said petition under consideration, and have directed me to report against the location of said road; a remonstrance signed by eighty or more citizens of Randolph county, having been laid before said committee, the committee asks to be discharged from the further consideration of the subject.

Mr. Miller also made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition

of Wm. Penn and others, of Clinton county, asking a change in the present road law, in reference to supervisors entering adjoining lands, taking and using timber for the use of roads, said law to be found on page 337, of the Revised Statutes, have had the same under consideration, and have directed me to report that it is inexpedient to legislate upon that subject and ask to be discharged from the further consideration of the same.

Which was concurred in.

On motion by Mr. Meredith,

The following joint resolution was taken from the table.

No. 51. A joint resolution on the subject of adjourning the Legislature till the second Monday in February next.

Mr. Meredith moved to amend by striking out the preamble and resolutions and insert the following :

WHEREAS, It is represented that the small pox, a loathsome and contagious malady, is prevailing in this city, to an alarming extent, and further, that a number of the members of this House have been exposed to the malarial of the plague by unwarily visiting and communing with some of those who were laboring under its influence before and after the character of the disease was known or suspected.

AND WHEREAS, Under such circumstances, considering the danger of the disease breaking out in the Halls of the Legislature, and the disasters to the country consequent upon the dissemination of the plague; in order if possible to arrest its course, and at least to defer further legislation, until a more propitious season,

Be it resolved by the General Assembly of the State of Indiana, That the Legislature be, and the same is hereby adjourned until the second Monday of January next.

Be it further resolved, That if in the opinion of the Governor, it shall be unsafe on account of said disease being still prevalent on the said second Monday of January next, for members to return, in such case, it shall be the duty of the Governor to prorogue both Houses of the Legislature, for a further period of weeks.

Be it further resolved, That members of both Houses shall be entitled to receive the same pay for traveling to and from their respective residences, as they are allowed by law at regular sessions.

Mr. Stanton moved to amend the amendment, by striking out the words, "to an alarming extent."

Which motion prevailed.

Mr. Brown moved to amend the preamble of Mr. Meredith's amendment by inserting the following words :

"WHEREAS, A case of the small pox is in the city of Indianapolis."

Which motion prevailed.

Mr. Harvey moved to strike out the words "some of those" and insert "the individual."

Which prevailed.

Mr. Dunham offered the following amendment to the amendment of Mr. Meredith:

"That the Legislature will adjourn *sine die*, on Monday the 20th instant."

Mr. Neal moved to lay the amendment of Mr. Dunham on the table.

And the ayes and noes having been demanded by Messrs. Dunham and Neal,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Carr, Chambers, Coble, Coffin, Cole, Colip, Commons, Cookerly, Covington, Criswell, Danner, Davis, DeBruler, Dimmett, Dole, Dougherty, Doyle, Frazier, Fuller, Goodman, Hamilton, Hankins, Harvey, Hetfield, Holden, Huddleston, Hull Hunt, Jones, of B., Keiser, Litchteberger, Line, Little, Lockwood, Lowe, McConnell, McDonald, of A., McDonald, of L., McKinzie, Meredith, Miller, Mills, Morrison, Neal, Norris, Orr, Orton, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Slater, Stanton, Stone, Sullivan, Terry, Thompson, of C., Thompson, of G., Widney, Williams, of K., Williams, of M., Wolf, and Mr. Speaker—74.

Those who voted in the negative are,

Messrs. Baldwin, Dobson, Dunham, Ford, Gooding, Gordon, Graham, Hall, Jones, of S., Kennard, Lane, Major, May, McCormick, Neff, Nimmons, Roache, Short, Smiley, Swihart, Tinbrook, Trimble and Winstandley—23.

So said amendment was laid on the table.

Mr. Terry offered the following amendment to the amendment of Mr. Meredith:

"Amend by striking out all after the word "Resolved" and insert,

"That all members who may desire to have leave of absence in order to avoid the small pox, shall have such leave, upon application to their respective Houses."

Which,

On motion by Mr. Neal,

Was laid on the table.

Mr. Short offered the following amendment:

WHEREAS, It is ascertained that there is a case of small pox in this city, and that there is danger of its spreading, to the detriment of the members of this House: AND, WHEREAS, It is believed that

the important business of this House can be got through with against the 25th day of this month,
Be it resolved, That this House will, the Senate concurring, adjourn *sine die*, on the 25th of this instant.

Which,

On motion by Mr. Neal,
 Was laid on the table.

Mr. Lowe moved to amend by striking out that part of the resolution which allows the Governor to prolong the time.

Which was adopted.

Mr. Dunham moved to strike out the last resolution, which allows the usual mileage to members in going and returning.

And the ayes and noes being demanded by Messrs. Dunham and Short,

Those who voted in the affirmative are,

Messrs. Carr, Coble, Cole, Dobson, Doyle, Dunham, Frazer, Gooding, Gordon, Graham, Hall, Hunt, Jones, of B., Jones of S., Kennard, Lane, Little, Major, May, McConnell, McCormick, Miller, Neff, Nimmons, Orton, Richmond, Roache, Short, Stone, Sullivan, Thompson, of C., Trimble, Williams, of K., Williams, of M., Winstandley, Wolf, and Mr. Speaker—37.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Blackstone, Blythe, Bowling, Bryant, Campbell, Chambers, Coffin, Colip, Commons, Covington, Criswell, Danner, Davis, DeBruler, Dimmett, Dole, Dougherty, Ford, Fuller, Goodman, Hamilton, Hankins, Harding, Harvey, Hetfield, Holden, Huddleston, Hull, Keiser, Lichteberger, Line, Lockwood, Lowe, McDonald, of A., McDonald, of L., McKinzie, Meredith, Mills, Morrison, Neal, Norris, Orr, Parker, Prather, Robinson, Rulon, Sackett, Shryock, Slater, Stanton, Swihart, Terry, Thompson, of G., Tinbrook, and Widney—59.

So said amendment to the amendment of Mr. Meredith, was rejected.

Mr. Lowe offered the following amendment:

Strike out the words "by the General Assembly" and insert "by the House, the Senate concurring."

Which was adopted.

Mr. Orton moved to strike out the word "plague" and insert the word "contagion."

Which was adopted.

The question recurring on the amendment of Mr. Meredith, as amended to the original joint resolution,

E Said amendment was adopted.

The question then being
 On the adoption of the resolution,
 And the ayes and noes being demanded by Messrs. Short and
 Keizer,

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Blythe, Bowling, Campbell, Chambers, Coble, Coffin, Colip, Commons, Covington, Danner, Davis, De Bruler, Dimmett, Dole, Doyle, Fuller, Gordon, Hankins, Harding, Harvey, Hetfield, Holden, Jones of S., Lane, Line, Little, Lockwood, Lowe, McConnell, McCormick, McKinzie, Meredith, Neal, Norris, Parker, Prather, Roache, Robinson, Sackett, Shryock, Stanton, Stone-Swihart, Thompson of C., Tinbrook, Williams of K., Williams of M., and Wolf—50.

Those who voted in the negative are,

Messrs. Albin, Bryant, Carr, Cole, Cookerly, Criswell, Dobson, Dunham, Ford, Frazier, Graham, Hall, Hamilton, Huddleston, Hull, Hunt, Keiser, Kennard, Kinney, Lichteberger, Major, May, McDonald of A., McDonald of L., Miller, Mills, Morrison, Nimmons, Orr, Orton, Richmond, Rulon, Short, Slater, Smiley, Sullivan, Terry, Thompson of G., Trimble, Windstandley, and Mr. Speaker—41.

So said resolution was adopted.

Ordered, That the clerk inform the Senate thereof.

Messrs. Gooding, Brown, and Dougherty were excused from voting, at their request.

Mr. Keiser moved that the House adjourn,

Which did not prevail.

The following messages were received from the Senate by Mr. Walpole a Senator :

MR. SPEAKER :

I am directed by the Senate to deliver to the House of Representatives the accompanying sealed message relative to the election of a State Bank Director.

Also, I am directed by the Senate to inform the House that they are now ready to proceed with closed doors to the election of a State Bank Director to fill the vacancy of Jacob Walker.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that at an election for director of the State Bank of Indiana, held with closed doors, in pursuance of a resolution of the two

Houses, George Henry received, on the ninth separate balloting of the second attempt, a majority of all the votes given, and was declared duly elected on the part of the Senate a director of the State Bank of Indiana, to serve as such for the term of four years from and after the expiration of the term of service of John F. Carr.

CHARLES H. TEST, *Sec. of Senate.*

The House proceeded, with closed doors, to open and consider the foregoing sealed message, by which it appeared that Mr. Henry had been duly elected by both Houses, and was thereupon declared by the Speaker, to be duly elected to serve as director of the State Bank of Indiana, to serve as such on the part of the State for the term of four years from and after the expiration of the term of service of the Hon. J. F. Carr, the present incumbent.

On motion by Mr. Robinson,

The House adjourned.

2 o'clock, P. M.

The House met.

Leave of absence was granted by the House to Mr. Neal, member from Boone county, at his own request.

On motion by Mr. Hull,

Leave of absence was granted to Mr. Covington for one week.

On leave granted,

The following resolution was offered by Mr. Terry :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing all distinction between proceedings in domestic and foreign attachments, so far as the same may in their opinion be done, and of making such modifications thereof as may by said committee be deemed consistent, and that they report by bill or otherwise.

Which was adopted.

The Speaker laid before the House the report of the proceedings of the State Education Convention, with an accompanying bill ; which,

On motion by Mr. Dole,

Were laid on the table, and 1,000 copies of said proceedings and 200 copies of said bill were ordered to be printed.

On motion by Mr. Harvey,

The message of the Senate, received in the morning session, proposing to proceed to the election of a Bank Director, was laid on the table.

9

| | | | | | | | |
|---------------------------|---|---|---|---|---|---|-----------|
| Nathan B. Palmer received | - | - | - | - | - | - | 20 votes. |
| John H. Bradley received | - | - | - | - | - | - | 2 votes. |
| Blank | - | - | - | - | - | - | 4 votes. |

No person having received a majority of the votes given, the convention proceeded to a 6th balloting.

Which resulted as follows :

| | | | | | | | |
|--------------------------------|---|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | - | 37 votes. |
| James G. Jones received | - | - | - | - | - | - | 11 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 36 votes. |
| Austin M. Puett received | - | - | - | - | - | - | 46 votes. |
| Nathan B. Palmer received | - | - | - | - | - | - | 8 votes. |
| Christopher C. Graham received | - | - | - | - | - | - | 8 votes. |
| Blank | - | - | - | - | - | - | 2 votes. |

No person receiving a majority of the votes given, the convention proceeded to a 7th balloting.

The result of which is as follows :

| | | | | | | | |
|--------------------------------|---|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | - | 49 votes. |
| James G. Jones received | - | - | - | - | - | - | 6 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 24 votes. |
| Austin M. Puett received | - | - | - | - | - | - | 54 votes. |
| Nathan B. Palmer received | - | - | - | - | - | - | 2 votes. |
| Christopher C. Graham received | - | - | - | - | - | - | 8 votes. |
| Blank | - | - | - | - | - | - | 5 votes. |

No person receiving a majority of the votes given, the convention proceeded to an 8th balloting.

Which resulted as follows :

| | | | | | | | |
|--------------------------------|---|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | - | 50 votes. |
| Austin M. Puett received | - | - | - | - | - | - | 66 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 19 votes. |
| James G. Jones received | - | - | - | - | - | - | 7 votes. |
| Christopher C. Graham received | - | - | - | - | - | - | 4 votes. |
| Blank | - | - | - | - | - | - | 2 votes. |

No one having received a majority of the votes given, the convention proceeded to a 9th balloting.

Which resulted as follows :

| | | | | | | | |
|---------------------------|---|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | - | 61 votes. |
| Austin M. Puett received | - | - | - | - | - | - | 56 votes. |
| James G. Jones received | - | - | - | - | - | - | 12 votes. |
| M. G. Bright received | - | - | - | - | - | - | 1 vote. |
| Wm. Z. Stewart received | - | - | - | - | - | - | 1 vote. |
| Blank | - | - | - | - | - | - | 16 votes. |

No one having received a majority of the votes given, the convention proceeded to a 10th balloting.

Which resulted as follows :

| | | | | | | |
|---------------------------|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | 64 votes. |
| Austin M. Puett received | - | - | - | - | - | 50 votes. |
| James G. Jones received | - | - | - | - | - | 15 votes. |
| Wm. Z. Stewart received | - | - | - | - | - | 1 vote. |
| Osborn received | - | - | - | - | - | 1 vote. |
| Blank | - | - | - | - | - | 16 votes. |

No one received a majority of the votes given ; when,

The convention was adjourned till to-morrow at two o'clock, P. M.

The Senate having retired.

On motion,

The House adjourned.

THURSDAY MORNING, DECEMBER 16, 1847.

The House met.

The following message was received from the Senate by Mr. Conner, a Senator.

MR. PRESIDENT :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof.

No 17. An Act to amend an Act, entitled "an act to incorporate the Peru and Indianapolis Rail Road company."

In which the concurrence of the House is requested.

Bill No. 17, in said message mentioned, was read a first time, when,

On motion by Mr. McDonald of L.

The rules were suspended and the bill read a second time and ordered to a third reading.

Mr. Harvey moved a call of the House, which was ordered.

On motion by Mr. Dole,

Leave of absence was granted to Mr. Hawkins.

On motion by Mr. Baldwin,

Leave of absence was granted to Mr. Little.

On motion by Mr. Dole,

Leave of absence was granted to Mr. McKenzie for two days.

On motion by Mr. Brown.

Leave of absence was granted to Mr. Gooding.

Leave of absence was also granted to Messrs. Danner and Bowling.

When the further call was suspended.

REPORTS FROM COMMITTEES.

The report of Mr. Frazer which was pending on yesterday's adjournment, was concurred in.

No. 16. A bill to amend an act therein named,

Was thereupon ordered to be engrossed.

Mr. McDonald of A. made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Henry Norton and others, of the counties of Wells and Blackford, praying for an act to authorize Samuel S. Millikin, of Wells county, to build a mill dam across the Salamoniam river, have had that subject under consideration, and have directed me to report the following bill and recommend its passage, to wit :

No. 58. An act to authorize Samuel S. Millikin to build a mill dam across the Salamoniam river in Wells county.

Was read a first time and ordered to a second reading.

Mr. Hall made the following report :

The select committee to whom was referred the petition of Jacob Ellis and others, praying for an additional tax to be levied in district No. 1, in township 37, in Elkhart county, for the purpose of paying for a School House already built in said district, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 59. A bill to entitle the trustees of school district No. 1, town 37, north of range 5 east, in Elkhart county, to raise an additional tax.

Was read a first time and ordered to a second reading.

Mr. Chambers made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the counties of Jefferson, Scott, and Jackson, for a turnpike road from Madison to Brownstown, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 60. A bill to incorporate the Madison and Brownstown turnpike company.

Was read a first time and ordered to a second reading.
Mr. Miller made the following report :

MR. SPEAKER :

The committee to whom was referred the resolutions and petitions of the trustees and others, of school district No. 5, township 37, north of range three east, in St. Joseph county, asking power to levy more tax to finish a school house in said district, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 61. A bill authorizing the trustees of school district No. 5, in township 37, north of range 3 east, in St. Joseph county, to levy a tax to finish a school house in said district.

Was read a first time and ordered to a second reading.

Mr. Dobson made the following report :

MR. SPEAKER :

The select committee to whom the petition of James Galletly was referred, have had the same under consideration, and directed me to report the following resolution :

Resolved, That the complaints set forth in the petition of James Galletly against the Branch Bank at Terre Haute, require investigation, and that the committee have power to send for one paper to the county of Owen, which will cost the State but little if any thing.

Mr. Holden was added to the above named committee.

On motion by Mr. Cookerly,

The resolution reported by the committee was amended by striking out the words 'one paper' and inserting, 'to send for persons and papers any where.'

The resolution was then adopted.

Bill No. 58. A bill to authorize Samuel S. Millikin to build a mill dam across the Salamony river in Wells county,

Was taken up, the rules being suspended therefor, and read a second and third times and passed.

Ordered, That the Senate be informed thereof.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred House bill No. 17, explanatory of the meaning of the 159th section of the 49th chapter of the revised statutes and for other purposes have had the same under consideration, and have directed me to report

that it is inexpedient to legislate on the subject, and recommend its indefinite postponement, and ask to be discharged from the further consideration of the subject.

Bill No. 17 in said report, was indefinitely postponed.

Mr. Terry made the following report.

MR. SPEAKER:

The committee on the judiciary to whom was referred resolution instructing such committee to inquire into the expediency of revising and consolidating in one act, all laws or parts of laws &c., have had the same under consideration, have directed me to report that they be discharged from the further consideration of the subject and respectfully recommend its reference to a select committee composed of one member from each Judicial circuit.

Which was concurred in by the House.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred H. bill No. 20 entitled "an act declaring a misprint in 'an act to amend the practice in the probate court, approved January 28, 1847,'" have had the same under consideration, and directed me to report the same back to the House and recommend its passage ; and the committee ask to be discharged from the subject.

No. 20, mentioned in said report, was ordered to be engrossed.

On motion of Mr. Winstandley,

The rules were suspended and the House took up,
No. 19. A bill (of the Senate) to amend the charter of the city of New Albany.

Which was read a third time and passed.

Ordered, That the Senate be informed thereof.

The hour having arrived,

On motion by Mr. Harvey,

The lobbies were cleared and the House proceeded to the election of a Bank Director, to fill the vacancy occasioned by the resignation of the Hon. Jacob Walker.

Messrs. Frather and May were appointed tellers.

The following is the result of the first balloting:

| | | | | |
|--------------------------------|---|---|---|----------|
| William R. Rochester received, | - | - | - | 52 votes |
| Parmenter M. Parks received, | - | - | - | 40 votes |
| Blank. | - | - | - | 3 votes |

Mr. Rochester having received a majority of the votes cast, was

declared by the Speaker duly elected on the part of the House, to serve as Bank director, for the State Bank of Indiana, for the unexpired term of the said Jacob Walker.

The following message was received from the Senate by Mr. Walpole a Senator:

MR. SPEAKER :

I am directed by the Senate to deliver to the House of Representatives the accompanying sealed message in relation to the election of a State Bank Director on the part of the State.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that at an election held by the Senate with closed doors, in pursuance of a resolution of the two Houses, for the purpose of electing a Bank Director, of the State Bank of Indiana, to fill the vacancy in the unexpired term of Jacob Walker resigned, William R. Rochester received, on the fifth ballot, at the first attempt, a majority of all the votes, and was thereupon declared duly elected Bank Director of the State Bank of Indiana, on the part of the State, to serve as such for the unexpired term of service of Jacob Walker resigned.

CHARLES TEST,
Sec'y Senate.

December 16, 1847.

By which it appeared that Mr. Rochester was also elected on the part of the Senate.

Mr. Hamilton made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of sundry citizens of Decatur county, relative to the incorporation of a Botanic medical society, have authorized me to report the following bill, and recommend its passage.

No. 62. A bill to incorporate the Botanic Medical Society of Decatur county.

Was read a first time and ordered to a second reading.

Mr. Cole offered the following resolution :

Resolved, That the trustees of the Wabash and Erie Canal be required to report to this House, as soon as practicable, whether the board of appraisers to appraise the Wabash and Erie canal lands under the act entitled "An act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the canal to Evansville," approved January 27 1847, have com-

pleted said appraisements, and if not, what amount of said canal lands either east or west of Tippecanoe are yet unappraised as was provided in said act; and whether the omission to appraise said lands agreeably to the provisions of said act, which required said appraisements to be made on or before the first day of December, will not defeat the object of said law, whereby the bond-holders of the State will be profited at the expense of a meritorious class of our citizens; and that said trustees also report whether, under said law, they feel authorized to have said appraisements completed, or whether the relief contemplated by said act has not been defeated by the failure to appraise said lands within the time prescribed by law.

Which was adopted.

On motion of Mr. Hull,

The rules were suspended and the House took up bill

No. 54. A bill for the relief of the executors of the will of Samuel Glass deceased, and to secure the title to purchasers of lands sold by said executors.

Which was read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Shryock offered the following resolution :

Resolved, That a committee of two be appointed to wait on his Excellency the Governor, and inform him that in consequence of the Small Pox prevailing to some extent in this city, the Legislature is about to adjourn, and it is the desire of the members of this House that the message should be communicated before the adjournment. We would therefore most respectfully solicit his Excellency to communicate, if convenient, immediately.

Which was not adopted.

On motion of Mr. Blythe, it was

Resolved, That the committee on the Judiciary be instructed to inquire into, and report the best mode of simplifying the law regulating the taking, authentication, and filing of depositions.

On motion of Mr. Hamilton,

Resolved, That the Senate be invited to attend instantler in the Hall of the House of Representatives for the purpose of electing a Superintendent for the New Albany and Vincennes McAdamized road, and seats be provided for them on the right of the Speaker's chair

Which was not adopted.

Mr. Lane moved to adjourn.

Which did not prevail.

On motion of Mr. McDonald of A.

No. 31. A bill relative to Probate judges in the county of Porter, Was taken up and read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

On motion by Mr. Robinson,

No. —. A bill to locate a State road therein named ;

Was taken up and read a second and third times ; the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

BILLS INTRODUCED.

By Mr. Williams,

No. 63. A bill extending the terms of the Probate court of Madison county.

By Mr. Hunt,

No. 64. A bill to incorporate the Laporte Female Seminary ;

By Mr. Dougherty,

No. 65. A bill to allow voters in Morgan county to vote in any township ;

By Mr. Windstandley,

No. 66. A bill to abolish the office of school commissioner in the county of Floyd, and for other purposes ;

By Mr. Hetfield,

No. 67. A bill to incorporate the Attica and Warren county bridge company.

By Mr. Orr,

No. 68. A bill leaving it discretionary with the board of Delaware county, what compensation they shall allow supervisors for making their returns.

By Mr. Williams of M.,

No. 69. A bill to authorize the board of Madison county commissioners to sell certain real estate.

By Mr. Hull,

No. 70. A bill authorizing the Madison and Indianapolis Railroad company to take stock in other companies, and for other purposes.

Which were severally read a first time, and ordered to a second reading.

Mr. Cookerly moved to reconsider the vote indefinitely postponing

No. 17. A bill (of the Senate) to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad company.

Which motion prevailed.

The question then being, "Shall the bill be indefinitely postponed,"

It was decided in the negative.

Said bill was then read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Shryock introduced

No. 71. A bill to amend the 22d section of an act of the Revised Statutes, entitled "An act for the relief of the poor ;"

Which was read a first time, and ordered to a second reading.

Mr. Harlan introduced

No. 72. A bill to repeal an act to keep members of the General Assembly from abandoning their seats and breaking a quorum, approved January 28, 1847.

Which was read a first and second time, the rules being suspended therefor, and

On motion by Mr. Prather,
Laid on the table.

On motion by Mr. Short,
The House adjourned.

2 o'clock, P. M.

The House met.

BILLS INTRODUCED.

By Mr. Brown,

No. 73. A bill to make an appropriation for a specific purpose;

By Mr. Baldwin,

No. 74. A bill regulating special elections ordered by the Governor ;

By Mr. Sackett,

No. 75. A bill relating to road tax in Perry county;

By Mr. Line,

No. 76. A bill to amend an act entitled an act to authorize the people of Fayette, and other counties therein named, to elect their Seminary trustees ;

By Mr. Orr,

No. 77. A bill to amend estray laws ;

By Mr. Orr,

No. 78. A bill lopping off the fees of the clerk and sheriff of Delaware county, for issuing and serving subpœnas in State cases, where the State loses the case.

The following message was received from the Senate, by Mr. Test, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed engrossed bills of the House, as follows :

No. 2. "An act to authorize the Treasurer, Auditor, and Governor of State, to borrow money to pay the interest on the funded debt bill, due January 1, 1848;"

And—

No. 58. "An act to authorize Samuel S. Millikin to build a mill-dam across the Salamony river, in Wells county;"

The first with certain amendments, in which the concurrence of the House is respectfully requested.

The Senate has also instructed me to inform the House that they have concurred in the amendments of the House, to the bill of the Senate

No. 19. An act to amend the charter of the city of New Albany.

The amendment of the Senate to House bill No. 2 was concurred in by the House.

On motion by Mr. Dole,

A call of the House was ordered.

Messrs. De Bruler and Mills were excused for absence, and the call was suspended.

The following message was received from the Senate, by Mr. Robinson, their assistant secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment :

No. 54. An act for the relief of the executors of the will of Samuel Glass, deceased, and to secure the title to purchasers of lands sold by said executors.

Mr. Lane moved that House bill

No. 78. A bill for lopping off the fees of the clerk and sheriff of Delaware county, for issuing and serving subpœnas in State cases, where the State loses the case ;

Be taken up, and read a second time, and referred to the judiciary committee, with instructions to inquire into the expediency of reporting a bill that shall be general—providing that the clerk and sheriff shall not be entitled to any pay out of the county Treasury, for any fees in State cases, where the State fails to sustain the indictment.

Which did not prevail.

BILLS INTRODUCED.

By Mr. Shryock,

No. 79. A bill to repeal an act defining the duties of county treasurers in certain cases, approved January 13, 1845 ;

By Mr. Campbell,

No. 80. A bill for the relief of securities ;

By Mr. Hull,

No. 81. A bill to regulate agencies of foreign Insurance companies ;

Which were severally read a first time, and ordered to a second reading.

ORDERS OF THE DAY.

No. 12. A bill (of the Senate) authorizing the Secretary of State to send to the county of Allen, an additional number of copies of the laws of the State ;

Was read a third time and passed.

Ordered, That the Senate be informed thereof.

No. 9. A bill granting to the citizens of Rising Sun a city charter ;

Was read a third time, and,

On motion by Mr. Jones of S.,

Laid on the table.

Mr. Cole offered the following resolution :

Resolved, That the Senate be invited to attend in this Hall in-stanter, for the purpose of going into the election of a canal trustee ;

Which was adopted.

The Senate then came into the Hall, and the two Houses proceeded in joint convention to an eleventh balloting for Canal Trustee, which resulted as follows :

| | |
|-------------------------------------|-----------|
| Robert N. Carnan received - - - - - | 58 votes. |
| Austin M. Puett received - - - - - | 60 votes. |
| James G. Jones received - - - - - | 14 votes. |
| Palmer received - - - - - | 2 votes. |
| Blank - - - - - | 4 votes. |
| Scattering - - - - - | 5 votes. |

No one having received a majority of the votes given, the convention was adjourned.

No. 23. A bill to locate a State road in the counties of Allen and DeKalb ;

No. 25. A bill explanatory of an act entitled "An act to secure

to Ohio county a share of the common school and surplus revenue funds, and for other purposes," approved January 6, 1847;

No. 27. A bill authorizing a revaluation of lands in Monroe and Irvin townships, Howard county;

No. 28. A bill declaring a certain word in section 43, chapter 16 Revised Statutes 1843, a misprint;

No. 47. A bill to provide for electing supervisors by districts, in the counties of Miami and Montgomery;

Were severally read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 51. A bill to amend article 4th, chapter 37, of the Revised Statutes of 1843;

Was taken up.

Mr. Cookerly moved to refer the bill to a select committee, with instructions to insert the following section after section 2d:

Sec. 3d. Be it further enacted, that section 134 of said chapter and article be so amended, that the word "Sheriff," whenever it occurs in said section, shall be read "clerk."

Change section 3d to section 4th.

Which motion prevailed.

Mr. Williams of M. moved to instruct said committee to add the following amendment:

Amendment—add to 2d section:

And no fee shall be allowed such sheriff of the Supreme court, on process served by the sheriff of any county in this State, other than for the return thereof, and for postage paid thereon; all other Sheriffs' fees accruing on such process, shall be allowed to the deputy Sheriff serving the same.

Which did not prevail.

Mr. Prather offered the following resolution:

Resolved, That the committee on military affairs be instructed to so amend the military laws, so as to require each able bodied white male inhabitant, between the ages of 18 and 40 years, to do military duty at least 4 days in each year, under the command of his respective company commandants, and at least 2 days under the proper field officers of the regiment to which he or they may belong; and on failure of the proper officers to give the requisite notices required by law, he or they so offending shall forfeit and pay any sum not exceeding \$5 00, to be collected as other fines are, and report the same to this House at an early day.

Which,

On motion by Mr. Thompson of G.,

Was laid on the table.

Mr. Meredith offered the following resolution:

Resolved, That the Principal and Assistant clerks of this House, and such assistants as they may have been necessarily compelled

to employ, be allowed the same compensation for and during the time they may have served as such during the present session, as was allowed by the specific appropriation bill of the last session; and that the respective clerks and Speaker of the House certify in the same manner as provided in the said specific appropriation bill.

Mr. Cookerly moved to amend the resolution, by inserting "that the door-keeper and assistant door-keepers be allowed the same sum in like manner, as they were in the specific appropriation bill last year.

Which prevailed.

Such resolution, as amended, was then adopted by the House.

On motion by Mr. Baldwin,

No. 74. A bill regulating special elections, ordered by the Governor;

Was taken up, the rules suspended, read a second time and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Rulon,

No. 5. A bill (of the Senate) in relation to juries in Jay county;

Was taken up, the rules suspended, read a second and third times and passed.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate, by Mr. Cassatt, a Senator:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that the Senate has passed

No. 46. A bill (of the Senate) entitled an act to fix the time of holding court in the 8th judicial circuit;

In which the concurrence of the House is respectfully requested.

Said bill was read a first time.

The rules were suspended, and the bill read a second time, when Mr. Dunham moved to amend by striking out the last section.

Which was not adopted.

The rules were again suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills of the Senate, as follows:

No. 44. An act relative to the Marion circuit court ;

No. 47. An act fixing the time of holding courts in Hancock county ;

In which the concurrence of the House of Representatives is respectfully requested.

Said bill No. 47 was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 44, was read a first time, and,

On motion by Mr. Harding,

Laid on the table.

No. 26. A bill (of the Senate) to amend an act entitled an act for the benefit of the volunteers for the Mexican war, and for the relief of county treasurers ;

Was taken up, and read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

On leave being granted,

Mr. Meredith offered the following resolution :

Resolved, That there be allowed to clerks employed by the committee appointed by the common school convention, the same compensation that is allowed to assistant clerks of this House, the time of service to be certified by said committee, and payable in like manner, not exceeding three dollars per day.

Mr. Cookerly moved to amend, so that the clerks in said resolution should not be allowed more than three dollars per day.

Which was adopted.

On motion by Mr. Stanton,

The resolution and amendment were laid on the table.

No. 17. A bill (of the Senate) to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad Company ;

Was taken up, read a third time, and passed.

Ordered, That the clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Test, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House, that the Senate have adopted the resolution of the House, relative to adjourning until the second Monday in January, with one amendment :

Strike out the second Monday in January, and insert the first Monday in February.

In which the concurrence of the House is respectfully requested.

Mr. Orton moved to lay the resolution and amendment on the table.

Which did not prevail.

The question then being on concurring in the amendment of the Senate,

The ayes and noes were demanded by Messrs. Rulon and Terry:

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blackstone, Blythe, Bowling, Campbell, Carr, Chambers, Coble, Coffin, Colip, Commons, Criswell, Danner, Davis, Dimmett, Doyle, Frazer, Fuller, Goodman, Gordon, Graham, Harding, Harvey, Hetfield, Holden, Huddleston, Jones of Bartholomew, Jones of Switzerland, Lichteberger, Line, Little, Lockwood, Lowe, McConnell, McCormick, McKinzie, Meredith, Miller, Mills, Neff, Norris, Richmond, Robinson, Sackett, Shryock, Stanton, Stone, Swihart, Thompson of Gibson, Tinbrook, Widney, Williams of Knox, Wolf.—55.

Those who voted in the negative are,

Messrs. Bryant, Cole, Cookerly, Dobson, Dole, Dougherty, Dunham, Ford, Gooding, Hall, Hamilton, Harlan, Hull, Hunt, Keizer, Kennard, Kinney, Major, May, McDonald of Adams, McDonald of Lake, Nimmons, Orr, Orton, Roache, Rulon, Short, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Trimble, Winstandley, and Mr. Speaker.—35.

So said amendment was concurred in.

Mr. Brown was excused from voting.

Mr. Lowe offered the following resolution :

Resolved, That this General Assembly having agreed to make a temporary adjournment, on account of the existence of the small pox in this city, the committees on the judiciary, ways and means, State Bank, and education, have leave during the recess to sit and prepare business for the action of the House, when it shall resume its session, and that they receive compensation for the time thus necessarily employed.

Mr. McDonald of L. moved to amend by inserting "at a compensation of one dollar per day."

Mr. Gooding moved to lay the resolution and amendment on the table.

Which motion prevailed.

Mr. Dobson, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Owen county, have had the same under consideration, and directed me to report the following bill :

No. 82. A bill to vacate the town of Southport, in Owen county. Which was read a first time, and ordered to a second reading.

On motion by Mr. Slater,

The House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, DECEMBER 17. 1847.

The House met.

On motion.

The reading of the journal was dispensed with.

The following message was received from His Excellency, the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER:

I am directed by His Excellency, the Governor, to inform the House of Representatives that he has, on this day, approved and signed bill No. 2, entitled an act to authorize the Governor, Auditor, and Treasurer of State to borrow a sum not exceeding ninety-five thousand dollars, to pay the interest due on the funded debt, on the first day of January, 1848, which originated in that body.

Dec. 16th, 1847.

On motion by Mr. Jones of S.,

The vote on concurring in the amendment of the Senate to the resolution of the House, relative to the adjournment of both Houses, was reconsidered.

On motion by Mr. Dunham,
The House refused to concur in said amendment of the Senate.

Ordered, That the clerk inform the Senate thereof.

A message was received from the Senate, by Mr. Barbour, a Senator; which,

On motion,
Was laid on the table.

On motion by Mr. Kinney,
The resolution providing for the sitting of the committee on the judiciary, ways and means, education, and State Bank, during the recess of the House, was taken from the table.

Pending which,

The following message was received from the Senate, by Mr. Test, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has receded from its amendment to the resolution of adjournment until the second Monday in January next.

Mr. Dougherty, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them correctly enrolled:

No. 54. An act for the relief of the executors of the will of Samuel Glass, deceased, and to secure the title of purchasers of lands sold by said executors;

No. 58. An act to authorize Samuel S. Millikin to build a mill-dam across the Salamony river, in Wells county.

On motion by Mr. Terry,
The House adjourned until the second Monday in January next, at 9 o'clock, A. M.

MONDAY MORNING, JANUARY 10th, 1848.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has adopted the following resolution :

Resolved, That the House of Representatives be informed that the Senate has met pursuant to adjournment, formed a quorum, and are now ready to proceed to legislative business.

Mr. Fuller moved a call of the House, which was seconded, after some time spent therein, the further call was suspended.

On motion by Mr. Harvey,

Resolved, That the clerk of this House inform the Senate that the House has now met pursuant to adjournment, formed a quorum, and are now ready to proceed to legislative business.

PETITIONS, MEMORIALS &C., PRESENTED.

By Mr. Covington,

The petition of sundry citizens of Ohio county, in relation to the inspection of hay ;

Which was referred to a select committee of Messrs. Covington, Chambers, and Harding.

By Mr. Lane,

The petition of sundry citizens of Dearborn county, praying an amendment to the existing militia laws ;

Which was referred to the committee on military affairs.

By Mr. Neff,

The petition for incorporating the town of Winchester, in Randolph county ;

Which was referred to a select committee of Messrs. Neff, Criswell, and Hamilton.

By Mr. May,

The petition of sundry citizens of Washington county, praying a change in certain school districts in said county ;

Which was referred to select committee of Messrs. May, Winstandley, and Danner.

By Mr. Keiser,

The petition of sundry citizens of Allen county, praying a change in the mode of electing assessor in Allen county ;

Which was referred to the committee on elections ;

By Mr. Chambers,

The petition of sundry citizens of Jefferson county, praying a repeal of the law in regard to the election of supervisors of roads ;

Which was referred to the committee on roads.

By Mr. Hamilton,

The petition of H. Thesing and sundry other German citizens of Franklin county, for the benefit of common school funds ;

Which was referred to the committee on education.

By Mr. Thompson of Carroll,

The remonstrance of the citizens of Carroll, and other counties, against the petition heretofore presented praying the passage of an act to prevent the erection of a ferry across Tippecanoe river, within three miles of a point on said river, commonly called Beauchamp's Ferry ;

Which was referred to the committee to whom said petition had been referred ; and,

On motion,

Messrs. McConnell and Smiley were added to said committee.

By Mr. Dobson,

The petition of Joseph Landrem, praying the vacation of the town of Southport in Owen county ;

Which was referred to a select committee of Messrs. Dobson, Short, and Gordon.

By Mr. Dougherty,

The petition of William Berry, praying for the passage of a law authorizing the auditor of Morgan county to make a deed in a certain case therein named ;

Which was referred to a select committee of Messrs. Dougherty, Cookerly, and McKenzie.

By Mr. Dobson,

The petition of sundry citizens of Owen county, praying the repeal of the "special law" providing for the mode of doing county business, by justices of the peace, in said county :

Which was referred to a select committee, of Messrs. Dobson, Short, and Baldwin.

Mr. Cookerly, from a select committee, made the following report:

MR. SPEAKER :

The joint committee, heretofore appointed to wait upon the Governor, and to ascertain from him at what time he might be pleased to make a communication to their respective Houses, have directed me to report to the House, that, in the discharge of the duty assigned them, they have been informed by the Governor that he will make such a communication on to-morrow at 2½ o'clock, P. M.

Mr. Orton, from the judiciary committee, made the following :

MR. SPEAKER:

The committee on the judiciary, to whom was referred a resolution requesting them to inquire into the expediency of so amending the 6th section of article 1st, chapter 55, of the Revised Statutes of 1843, as to specify what is meant by other breaches of the peace, have instructed me to report that they have had the same under consideration, and deem it inexpedient for them to *guess* what is meant by "*other breaches of the peace*," as they do not, nor can they, absolutely know what *other* breaches of the peace are meant; and they ask to be discharged from the further consideration of this subject.

Which was concurred in by the House.

On motion by Mr. Cookerly,

Resolved, That the Superintendent of the New Albany and Vincennes Turnpike Road be requested to make his annual report to this House as soon as convenient.

By Mr. Harvey,

No. 95. A joint resolution in relation to the mileage of the members of the present General Assembly;

Which was read a first time and ordered to a second-reading.

BILLS INTRODUCED.

By Mr. Fuller,

No. 83. A bill for the relief of James Hardin, of Warrick county.

On motion by Mr. Fuller,

The rules were suspended and the bill read a second time.

Mr. Gooding moved to refer the bill to a select committee.

Which motion did not prevail.

On motion by Mr. Fuller,

The rules were suspended and the bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

By Mr. Sullivan,

No. 84. A bill regulating the action of ejectments;

Was read a first time, and,

On motion by Mr. Sullivan,

The rules were suspended and the bill read a second time.

Mr. Cookerly moved to refer the bill to the judiciary committee;

Which motion prevailed.

By Mr. Miller,

No. 85. An act to legalize a sale of real estate, by Peter Navarre, jr.;

By Mr. Frazer,
No. 89. An act to incorporate the Kosciusco, Elkhart, and Miami rail road company;

By Mr. Miller,
No. 90. A bill to incorporate the South Bend Woolen and Cotton Manufacturing Company;

By Mr. Orton,
No. 91. An act concerning the State Library;

By Mr. Orr,
No. 92. A bill fixing jurors' fees before esquires' courts in the county of Delaware;

By Mr. Hull,
No. 93. A bill to amend an act, entitled an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors;

Which were severally read a first time and ordered to a second reading.

No. 86. A bill to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same;

Which was read a first time, and,

On motion,

The rules were suspended and the bill read a second time.

Mr. Hull moved to refer the bill to the committee on corporations.

Which motion prevailed.

By Mr. Brown,

No. 87. A bill fixing the time of holding the circuit courts in the county of Marion, and for other purposes;

Which was read three several times, the rules being suspended, and passed.

Ordered, That the clerk inform the Senate thereof.

By Mr. Wolf,

No. 88. An act to incorporate the Evansville, Vincennes, and Terre Haute Railroad Company;

Which was read a first and second time, the rules being suspended, and referred to a select committee of Messrs. Blythe, Thompson of G., Williams of K., Wolf, and Holden.

ORDERS OF THE DAY.

An act declaring a misprint in an act to amend the practice in the probate court, approved January 28th, 1847;

Was read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers;

Was read a third time, when,

Mr. McConnell moved to amend by exempting the counties of Benton, White, and Pulaski from the provisions of the bill;
Which amendment was adopted by unanimous consent.
Said bill then passed.

Ordered, That the clerk inform the Senate thereof.

No. 32. A bill to amend the statute regulating the granting of divorces;

Was read a second time and referred to the committee on the judiciary.

No. 33. A bill to amend an act entitled an act to incorporate the college Corner and Liberty Turnpike Company;

Was read a second time and ordered to be engrossed for a third reading.

No. 34;

Was read a second time, and,

On motion by Mr. Cookerly,

Was referred to the committee on elections, with instructions to inquire into the expediency of making the provisions of said bill general.

On motion by Mr. Rulon,

The House adjourned until 2 o'clock, P.M.

2 o'clock, P. M.

House met.

On leave,

Mr. Cookerly introduced joint resolution No. 94, authorizing the Governor to procure a sword for Brigadier General Lane;

Which was read a first time and ordered to a second reading.

On leave,

Mr. Fuller presented the petition of sundry citizens to change the law regulating taverns and groceries;

Which was referred to a select committee of Messrs. Fuller, Neal, and Robinson.

On leave,

Mr. Fuller presented the petition of sundry citizens to remove a certain portion of the Evansville and Freedomia road; which,

On motion,

Was referred to a select committee of Messrs. Fuller, Blythe, and Graham.

On leave,

Mr. Morrison presented the petition of sundry citizens of Scott

county, praying for a charter for a turnpike road from Madison to Brownstown, *via* Lexington in said county ; which,

On motion,

Was referred to a select committee of Messrs. Morrison, Hull, and Ford.

Mr. Rulon asked leave for the committee on elections to sit during the session of the House ;

Which was granted.

The Speaker laid before the House the report of the trustees of the Wabash and Erie Canal.

Mr. Cookerly moved to lay said report on the table, and that a thousand copies be printed for the use of the House ;

Which motion prevailed.

No. 35. A bill in relation to the road laws ;

Was read a second time.

Mr. Lane moved to refer said bill to the committee on roads ;

Which motion prevailed.

No. 36. A bill to authorize the board doing county business in Orange county to dispense with the road tax ;

Was read a second time and ordered to a third reading.

No. 37. A bill to incorporate the Connersville Hotel Company ;

Was read a second time and ordered to a third reading.

No. 38. A bill to amend the 4th section of the 47th chapter of the Revised Statutes of 1843 ;

Was read a second time ; which,

On motion by Mr. Lane,

Was referred to the committee on the judiciary.

No. 40. A bill to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes ;

Was read a second time and ordered to be engrossed for a third reading.

No. 42. A bill to provide for the selection of petit juries in the county of Warren ;

Was read a second time and ordered to be engrossed for a third reading.

No. 43. A bill for the relief of Dorothy Owens and others ;

Was read a second time and ordered to be engrossed for a third reading.

No. 44. A bill relative to elections in Jackson county ;

Was read a second time, and,

On motion by Mr. Miller,

Was referred to the committee on elections.

No. 45. A bill to extend the jurisdiction of justices of the peace in the counties of Lake and Porter ;

Was read a second time.

Mr. McDonald, of Lake, moved to suspend the rules to read the bill a third time now ;

Which motion did not prevail.

The bill was ordered to be engrossed for a third reading.

No. 46. A bill to fix the time of holding the probate courts in the county of Putnam ;

Was read a second time, and ordered to be engrossed for a third reading.

No. 48. A bill to reduce the fees of the clerks in the probate court, Was read a second time, and,

On motion by Mr. Harvey,

Was referred to the select committee on fees, heretofore appointed.

No. 49. A bill to create the office of Attorney General, and to prescribe his duties ;

Was read a second time, and,

On motion by Mr. Hull,

Was referred to the committee on the judiciary.

No. 52. A bill for the selecting of jurors in the county of Delaware ;

Was read a second time and ordered to be engrossed for a third reading.

No. 55. A bill for the relief of Collins Adams, of St. Joseph county ;

Was read a second time and ordered to be engrossed for a third reading.

No. 59. A bill to authorize the trustees of school district No. 1, town 37, north of range 5 east, in Elkhart county, to raise an additional tax ;

Was read a second time and ordered to be engrossed for a third reading.

No. 60. A bill to incorporate the Madison and Brownstown Turnpike company ;

Was read a second time, and,

On motion by by Kinney,

Was referred to the committee on corporations.

No. 61. A bill authorizing the trustees of school district No. 5, in township 37, north of range 3 east, in St. Joseph county, to levy a tax to finish a school House in said district ;

Was read a second time and ordered to be engrossed for a third reading.

No. 62. A bill to incorporate the Botanic Medical Society of Decatur county ;

Was read a second time and ordered to be engrossed for a third reading.

No. 63. A bill extending the terms of the probate court of Madison county ;

Was read a second time ; and,

On motion by Mr. Cookerly,

Was laid on the table.

No. 64. A bill to incorporate the Laport Female Seminary ;

Was read a second time and ordered to be engrossed for a third reading ;

No. 65. A bill to allow voters in Morgan county to vote in any township in said county ;

Was read a second time, and,

On motion by Mr. Lane,

Was referred to the committee on Elections.

No. 66. A bill to abolish the office of School Commissioner of Floyd County, and for other purposes ;

Was read a second time.

Mr. Lowe moved to refer the bill to the committee on education ;

Which motion did not prevail.

The bill was ordered to be engrossed for a third reading.

No. 67. A bill to incorporate the Attica and Warren county Bridge company, was read a second time, and

On motion by Mr. Hetfield,

Was referred to the committee on corporations.

No. 68. A bill leaving it discretionary with the board of commissioners of Delaware County, what compensation they shall allow supervisors for making their returns ;

Was read a second time and ordered to be engrossed for a third reading.

No. 69. A bill to authorize the board of Madison county commissioners, to sell certain real estate ;

Was read a second time and ordered to be engrossed for a third reading.

No. 70. A bill authorizing the Madison and Indianapolis Rail Road company to take stock in other companies, and for other purposes ;

Was read a second time, and,

On motion by Mr. Prather,

Was referred to the committee on corporations.

No. 71. A bill to amend the 22nd section of an act of the revised statutes entitled "An act for the relief of the poor ;"

Was read a second time and ordered to be engrossed for a third reading.

No. 73. A bill to make an appropriation for a specific purpose :

Was read a second time.

Mr. McDonald of Lake moved the following amendment :

Provided that such building shall be "malaria" proof.

Mr. Huddleston moved to lay the bill and amendment on the table.

Which motion prevailed.

No. 75. A bill relating to road tax in Perry county ;

Was read a second time and ordered to be engrossed for a third reading.

No. 76. A bill to amend an act entitled "An act to authorize the people of Fayette and other counties therein named, to elect their seminary trustees ;

Was read a second time and ordered to be engrossed for a third reading.

No. 77. A bill to amend the estray laws ;

Was read a second time and ordered to be engrossed for a third reading.

No. 78. A bill lopping off the fees of the clerk and sheriff of Delaware county for issuing and serving subpœnas in State cases where the State loses the case ;

Was read a second time.

Mr. Lane moved to refer the bill to the committee on judiciary, with instructions.

Mr. Orr. moved to lay the bill on the table.

Which motion prevailed.

No. 79. A bill to repeal an act defining the duties of county treasurers in certain cases, approved January 13th 1845 ;

Was read a second time, and,

On motion of Mr. Lane,

Was referred to the committee on Ways and Means.

No. 80. A bill for the relief of securities ;

Was read a second time, and,

On motion by Mr. Harvey,

Was referred to the committee on the judiciary.

No. 81. A bill to regulate agencies of foreign insurance companies ;

Was read a second time, and,

On motion by Mr. Hull,

Was referred to the committee on judiciary.

No. 82. A bill to vacate the town of Southport in Owen county ;

Was read a second time, and,

On motion by Mr. Dobson,

Was referred to a select committee of Messrs. Dobson, Lockwood, and Short.

The Speaker laid before the House the report of the State Librarian.

Mr. Meredith moved to lay the report on the table, and that 500 copies be printed for the use of the House.

Which motion prevailed.

The Speaker laid before the House the memorial of the Philadelphia Medical Convention ;

Which was referred to a select committee of Messrs. Hunt, Trimble, and Morrison.

Mr. Lane, on leave, offered the following resolution :

Resolved, That a committee of one from each county in this State bordering on the Ohio river, be appointed to inquire into and recommend to this House, what relief is due to the people that have been injured by the unusual overflow of the country near said river.

Which was adopted.

Whereupon the Speaker appointed the following gentlemen, as said committee : Messrs. Lane, Covington, Jones of S., Hull, Sullivan, Winstandley, Sackett, De Bruler, Fuller, Blythe, and Mills.

Mr. Harlan then arose and announced the death of the Hon. Andrew Kennedy, as follows :

MR. SPEAKER :

I arise for the purpose of performing a mournful duty, and none other than to announce the death of a faithful friend and public servant of the State of Indiana.

And now, whilst the feeling of devoted grief is yet warm in our hearts, and that tokens of sorrow and deep affliction are still upon our eyelids; and our faces still wet with the tear of mourning; it becomes necessary that I should give renewed pain and grief to our finer feelings, by hastily passing in quick review before them, another of the ordinary dispensations of Him, who rules over all matter, both animate and inanimate; and which has deprived the nation of an upright and noble man; and his adopted State of a faithful and approved public servant; and myself of one of the loveliest and best of friends.

I mean the Hon. Andrew Kennedy — who died at the Palmer House, in the town of Indianapolis, on Friday night, the 31st of December, 1847, in the 38th year of his age, after an illness of about twenty-one days.

At which time his soul quietly left this tenement of clay, and took its flight to that world which follows the resurrection of the dead, and his body gently sunk into the bosom of its mother earth, away from father, mother, wife, brother, sister, children or friends, and home.

I shall not attempt on this occasion, to pass a formal and labored eulogy upon the character and personal qualities of my departed friend — feeling that I shall best acquit myself of this painful task, and the respect which I owe, and am proud to cherish for the well known and manly virtues of his own choice, by limiting myself to a careful yet unostentatious detail of his life and character.

Mr. Kennedy was born on the 24th of July, 1810, about five miles east of Dayton, in the county of Montgomery, and State of Ohio. His parents were professing christians of that orderly and peaceable society called Quakers, under whose kind tuition he remained until he was about sixteen years old, when he was apprenticed to the blacksmithing business. After following his trade a short time, he went into the mercantile business, and continued there but a short while, until it was ascertained that his partner had so involved them by bad management and want of economy, that it was necessary for him to retire from the firm.

From that he applied himself to the study of the law in the town of Connersville in this State, where he was licensed as an attorney, and gave evidence of his future usefulness as a lawyer and statesman.

From Connersville he removed to the town of Muncie, in Delaware county, and there practiced his profession with great energy of character, and was one of the foremost and most successful criminal lawyers in the State. In the year 1836, he was elected to fill

a vacancy in the Senate of the State, receiving every vote in his own county but thirteen.

In the year following he was again chosen Senator for a full term.

Mr. Speaker, I need not allude to his services as a Senator in the State of Indiana; the history of the country and many of those who are now within these walls can bear testimony to his manly and noble services, to his acute, quick and eloquent bursts of devotion and patriotism, to his sound and eloquent debates.

In January, 1840, he was chosen by his political friends, as an Elector of the then 4th Congressional district of the State.

In the May following he was elected to Congress from the same district.

In August, 1843, he was again returned to Congress from the 10th Congressional district, (the State having been in the meantime apportioned into Congressional districts, which threw him in the 10th.)

In 1845, he was again returned to Congress. On all of which occasions he was the unanimous choice of his own party.

In 1847, the nomination for Congress was again tendered to him—but he manfully and generously declined—urging as a reason that he had been so much in public life, and away from home, that his wife and children were almost strangers to him; that he desired to attend to their education, their nurture and admonition.

And who can doubt but that higher honors, and greater fame yet awaited him.

I hope and believe, that I shall not be deemed by any one who hears me, at all exaggerating when I assert, that the lamented Kennedy, whilst connected with his public services either in the Legislature of his adopted State, or in the Congress of the nation, gave constant and continued proof of his sound, practical and statesman-like intellect, unyielding honesty of purpose—and a generosity of soul and will, that ever qualified him for the performance of all generous, hospitable, and noble deeds—and which at all times saved him from the charge of any act that was ignoble, sordid, or illiberal.

He was blessed with unusual gentleness, harmony, and love. The frankness of his manners, and cordiality of his conduct, rendered him strikingly agreeable, and a personal favorite with all his friends and acquaintances.

In private life he was remarkably bland, courteous and interesting. And his death has thrown a sorrow and disappointment to many a kind and innocent bosom, which his living moments never failed to fill with the liveliest hopes of future goodness and prosperity.

Mr. Orr, on leave, offered the following resolutions:

Resolved, unanimously, That we have heard with profound regret,

the death of our distinguished fellow-citizen, the Honorable ANDREW KENNEDY, who departed this life on the 31st day of December, 1847.

Resolved, unanimously, That in the death of Andrew Kennedy, society has lost one of its brightest ornaments, and the State one of its faithful servants.

Resolved, unanimously, That we deeply condole with his afflicted family, the loss they have sustained, and that we hereby tender to his bereaved widow, our mutual sympathy.

Resolved, unanimously, That his Excellency, the Governor, be requested to forward to the widow of the deceased, a copy of the foregoing resolutions.

Resolved, unanimously, That as an evidence of the high esteem entertained for the deceased, this House do now adjourn.

Which was adopted.

Whereupon, the House adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, JANUARY 11, 1848.

The House met.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Frazer,

The petition of Samuel H. Chipman, and 18 others praying for the repeal of an act vacating a part of the town of Milford, in Kosciusko county ;

Which was referred to a select committee of Messrs. Hervey, Little, and Huddleston.

By Mr. McDonald of Adams,

The petition of Isaac G. Baker and others praying the passage of an act authorizing Notingham Mercer to build a dam across the Wabash river at a specified place ;

Which was referred to a select committee of Messrs. McDonald of A., Harlan, and Prather.

By Mr. Meredith,

The petition of Joseph Cock and others, praying the passage of a law incorporating the town of Washington ;

Which was referred to the committee on corporations.

By Mr. Meredith,

The remonstrance of John Hatfield and others, against the prayer of the foregoing petition of Joseph Cock and others ;

Which was referred to the same committee.

By Mr. McConnel,

The petition of the county commissioners of the county of Pulaski, praying that certain acts of theirs in relation to the county seat of Pulaski county may be legalized, and for other purposes ;

Which was referred to the committee on the judiciary.

By Mr. Sackett,

The petition of the county commissioners of Perry county, praying that certain acts of theirs in relation to John Elder, surplus revenue agent for said county, may be legalized ;

Which was referred to a select committee of Messrs. Sackett, De Bruler, and Coble.

By Mr. Covington,

The petition of sundry citizens of Switzerland county, praying the appointment of a hay inspector ;

Which was referred to a select committee of Messrs. Covington, Chambers, and Harding.

By Mr. Lockwood,

The petition of sundry citizens of the county of Greene, praying the repeal of the law confining voters to their respective townships ;

Which was referred to the committee on elections.

By Mr. Terry,

The petition of Willis M. Miller for a change of venue ; when, On leave,

Mr. Terry introduced the following bill :

No. 96. A bill changing the venue in the case of the State of Indiana against Willis M. Miller from the county of Daviess, in the 10th judicial circuit of the State of Indiana, to the Dubois circuit, in the 4th judicial circuit ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

By Mr. McConnell,

The petition of sundry citizens of the counties of White and Carroll for a State road in said county ;

Which was referred to the committee on roads.

By Mr. Line,

The petition of O. Bonner and others, praying for the incorporation of the Mixerville Literary Society.

Which was referred to a select committee of Messrs. Line, Lane, and Little.

By Mr. Cole,

The petition of sundry citizens of Peru, in the county of Miami, praying for the incorporation of said town ;

Which was referred to a select committee of Messrs. Cole, Hamilton, and Trimby.

By Mr. Dougherty,

The petition of Mary Caldwell, of Morgan county, for relief;

Which was referred to a select committee of Messrs. Dougherty, Cookerly, and McKinzie.

By Mr. Short,

The petition of sundry citizens of Lawrence county, praying a change of the law confining voters to their townships;

When Mr. Short moved its reference to a select committee.

Mr. Cookerly moved to lay the petition on the table.

Which did not prevail.

Said petition was then referred to a select committee of Messrs. Short, Lowe, and Ford.

By Mr. Stanton,

The petition of Joseph Hollman, praying for relief;

Which was referred to a select committee of Messrs. Stanton, Cole, and Neff.

By Mr. Harlan,

The petition of B. C. Hogin and others, praying for the relief of settlers on school sections on the "Great Miami Reserve;"

Which was referred to a select committee of Messrs. Harlan, Richmond, Cole, Colip, and Thompson of C.

By Mr. Goodman,

The petition of the German citizens of Dubois county, asking a part of the School Fund for German education;

Which was referred to the committee on education.

By Mr. Orr,

The petition of Eleanor Seas, praying for relief;

Which was laid on the table.

By Mr. Harlan,

The remonstrance of John Brownlee to the petition of A. Steele and others, for the relief of Silas Overman;

Which was referred to the committee on education.

By Mr. Stanton,

The petition of sundry citizens of Wayne county, praying for an extension of the charter of the Richmond Turnpike Company;

Which was referred to the select committee heretofore appointed on that subject.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of L. D. Cowly and others, have had the same under consideration, and have instructed me to report that it is inexpedient to legislate on the subject matter thereof, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred a resolution to inquire into the expediency of "giving justices of the peace exclusive jurisdiction over all offences the punishment of which is a fine of five dollars or less," &c., have had the same under consideration, and have instructed me to report that it is inexpedient to legislate thereon, and ask to be discharged from the further consideration thereof.

Mr. Cookerly, one of the committee, dissents from the above report.

Mr. Gooding moved not to concur in said report.

Pending which,

On motion by Mr. Meredith,

Said report was laid on the table.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the resolution requesting "such committee to report a bill conferring *exclusive* jurisdiction on justices of the peace in all cases of assault and battery," have had the same under consideration, and have instructed me to report that it is inexpedient to legislate thereon, and ask to be discharged from the further consideration thereof.

Mr. Gooding moved not to concur in said report.

Pending which,

Mr. Meredith moved to lay said report on the table.

Which motion did not prevail.

The question then being on the motion of Mr. Gooding not to concur in said report,

Messrs. Neal and Gooding demanded the ayes and noes :

Those who voted in the affirmative are,

Messrs. Blackstone, Bowling, Chambers, Coffin, Commons, Gooding, Graham, Hamilton, Harlan, Holden, Hull, Lichteberger, McConnell, Mills, Neal, Neff, Nimmons, Prather, Stanton, Stone, Trimble, Widney, Williams of M., Winstandley, and Mr. Speaker—25.

Those who voted in the negative are,

Messrs. Armstrong, Blythe, Brown, Bryant, Campbell, Coble, Cole, Colip, Cookerly, Covington, Criswell, Danner, Davis, De Bru-

ler, Dimmett, Dobson, Dougherty, Doyle, Ford, Frazer, Fuller, Goodman, Gordon, Hall, Harding, Harvey, Hetfield, Huddleston, Hunt, Jones of B., Jones of S., Kennard, Kinney, Lane, Line, Little, Lockwood; Lowe, Major, May, McCormick, McDonald of A., McDonald of L., McKinzie, Meredith, Miller, Morrison, Norris, Orr, Orton, Roache, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Sullivan, Terry, Thompson of C., Thompson of G., Tinbrook, Williams of K., and Wolf—65.

So said motion did not prevail ; when,
On motion by Mr. Lane,
Said report was concurred in.
Mr. Short made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No. 57, entitled " A bill to incorporate the Brownstown and Scipio Railroad Company," have had the same under consideration, and have directed me to report it back to the House without amendment, and recommend its passage.

Said bill was read a second time, and ordered to be engrossed for a third reading.

Mr. May made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petition of sundry citizens of Harrison county, praying " that the first section of the 25th chapter of the Revised Statutes of 1843 be so amended as to prevent any town with a less number than forty householders, or legal voters residing therein, from having the power of becoming incorporated under the provisions of said act," have had the subject under consideration, and have directed me to report that legislation on that subject is inexpedient, and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Major made the following report :

MR. SPEAKER :

The committee to whom was referred a petition praying the passage of an act to incorporate the town of New London, in Howard county, have had that subject under consideration, and direct me to report the following bill and recommend its passage :

No. 97. An act to incorporate the town of New London, in Howard county.

Said bill was read a first time, and ordered to a second reading.
Mr. Cole made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of the town of Peru, praying for an incorporation of said town, have had that subject under consideration, and have directed me to report the following bill and recommend its passage.

No. 98. An act to incorporate the town of Peru.

Said bill was read three several times, the rules being suspended for that purpose, and passed.

Ordered, That the clerk inform the Senate thereof.

On motion by Mr. Little,

Resolved, That this House, when it adjourns this evening, will adjourn to meet on Thursday morning next; and that the use of this Hall be granted to the *Whig* State Convention to meet on tomorrow.

Mr. Cookerly offered the following resolution :

Resolved, That the committee on military affairs be requested to report a bill reorganizing the militia at as early a day as practicable.

When Mr. Fuller moved to amend so as to authorize the Clerk of the House to call on the Senate for the militia bill of last session, now on the files of the Senate.

Which motion prevailed.

And the resolution so amended was adopted.

On motion by Mr. Dobson,

Resolved, That the committee on military affairs be required to inquire into the expediency of having the military laws published in a separate volume.

On motion by Mr. Terry,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending section 18, article 1, of chapter 41 of the Revised Laws of 1843, as to provide that summons to garnishees, in attachments foreign and domestic, be served hereafter by reading the same to such garnishees, or by leaving copies of the same at their residence; and also that such summons shall recite the proceedings in attachment and the substance of the affidavit against such garnishees, and that copies of the original writ of attachment, and copies of the affidavit against garnishees, shall not be required to be served as is now provided by said section, and that they report by bill or otherwise.

On motion by Mr. Terry,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the 51st section, article 2, chapter 41 of the Revised Statutes of 1843, as to make writs in foreign attachment returnable within thirty days from the date thereof, and report by bill or otherwise.

BILLS INTRODUCED.

By Mr. Lane,

No. 99. A bill in regard to bonds of county officers.

By Mr. Hamilton,

No. 100. A bill to authorize additional election precincts.

By Mr. Dobson,

No. 101. A bill to amend an act. entitled "An act to change the time of holding courts in the seventh judicial circuit and for other purposes.

By Mr. Trimble,

No. 102. A bill to incorporate the Liberty and Brownsville Turnpike Company.

By Mr. Dobson,

No. 103. A bill in relation to the fees of the Treasurer of Owen county in certain cases.

By Mr. Lockwood,

No. 104. A bill authorizing administrators to administer oaths in certain cases.

By Mr. Frazer,

No. 105. A bill to change the name of Ellen Narcissa Brown to Ellen Maria Graham, and for other purposes.

By Mr. Orr,

No. 106. A bill lopping off all extra allowance to the clerk and sheriff of Delaware county as now allowed by the Board of the same.

By Mr. Sackett,

No. 107. A bill in relation to the taking of the list of children in the county of Perry for school purposes.

By Mr. Hall,

No. 108. A bill providing for the survey and record of roads.

On motion by Mr. Fuller,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met.

Mr. Sullivan, on leave, presented the petition of sundry citizens of Clark county, praying for a repeal of the present law authorizing

county treasurers to give permits to pedlars to vend foreign merchandise, and also for an additional tax on merchants ;

Which was referred to the committee on the judiciary.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills and a joint resolution thereof, as follows :

No. 32. An act to change the time of holding the probate court in the county of Allen, and to repeal certain acts therein named ;

No. 34. An act to vacate certain streets and alleys in the town of Raysville, Henry county ;

No. 35. An act for the relief of Zachariah Collins ;

No. 37. An act to vacate a street in the town of Brookville ;

No. 13. A joint resolution, entitled A joint resolution relative to bounty land warrants ;

In all of which the concurrence of the House is respectfully requested.

Said bills were each severally read a first time and ordered to a second reading.

The following message was received from the Senate by Mr. Test, their principal secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives that the Senate has passed an engrossed joint resolution :

No. 48. A joint resolution extending the term of office of the superintendent of the northern division of the Central Canal ;

In which the concurrence of the House is respectfully requested.

Said joint resolution was read a first time, and ordered to a second reading.

The following message was received from the Senate by Mr. Test, their principal secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills thereof, entitled as follows :

No. 4. An act to incorporate the Franklin Institute of the Richmond University ;

No. 30. An act relative to the execution of decrees in Chancery ;

No. 36. An act relative to the practice in the Laporte circuit court ;

No. 38. An act for the relief of the securities of John Plasters, formerly school commissioner of Miami county ;

No. 43. An act for the relief of Elizabeth Jones, of Gibson county ;

No. 45. An act to vacate a part of a State road in the county of St. Joseph ;

No. 46. An act to amend the act incorporating the Brookville and Cincinnati Turnpike Company ;

No. 48. An act to authorize the clerk of the Carroll circuit court to sell certain real estate ;

No. 56. An act for the benefit of the Union Literary Society ;

No. 57. An act to provide for a special term of the probate court in Washington county, Indiana ;

No. 61. An act to authorize Ira Bailey to build an arm to the Knightstown and Shelbyville Railroad ;

No. 64. An act to postpone the sale of delinquent lands in Adams county ;

In which the concurrence of the House is respectfully requested.

Senate bills, Nos. 4, 30, 36, 38, 45, 46, 48, 56, 61, and 43, in said message mentioned, were each severally read a first time, and ordered to a second reading.

Nos. 57 and 64, in said message mentioned, were each read three several times, the rules being suspended, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Orr, on leave, introduced,

No. 109. A joint resolution and vote of thanks to our volunteers ; Which was read a first time, and ordered to a second reading.

Mr. De Bruler, on leave, introduced,

No. 110. A bill for the better securing of titles in Spencer and Dubois counties ;

Which was read a first time, and ordered to a second reading.

Mr. Little, on leave, offered the following resolution :

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, *instantly*, to hear the Message of His Excellency, the Governor, and that seats be prepared for them on the right of the Speaker's chair.

Which was adopted.

The Senate then came into the Hall and took their seats on the right of the Speaker's chair, when His Excellency, the Governor, came in and delivered the following Message in presence of both Houses.

*Gentlemen of the Senate and of the
House of Representatives :*

Having convened for the performance of the important duties committed to your charge, by the people of the State, it becomes my duty (a duty, which, it is regretted, I was prevented from performing previous to your late adjournment, by severe bodily injury; the result of a recent accident,) to communicate to you the condition of the Commonwealth, and to suggest such measures as may seem to be demanded for the preservation and increase of the public welfare.

In doing so, it affords me a heartfelt pleasure to congratulate you upon the general prosperity which has prevailed within our borders during the past year. We have enjoyed the blessings of health in an unusual degree; the supremacy of the laws have been maintained, and the labor of the husbandman has been bountifully rewarded by luxuriant crops, which he has been enabled to dispose of at liberal prices; thus giving a renewed impulse to business of every description. Evidences of great improvement in the condition of the people are every where visible. Our cities and towns are steadily increasing in wealth and population, and the primeval forests, which still cover a large portion of the country, are rapidly disappearing to give place to the rich products which are drawn by the hands of industry from a generous and fertile soil. For these, and the numberless other advantages we enjoy, we owe unbounded gratitude to God, in whose hands are the destinies of nations, who has placed us in a land of religion, liberty, and plenty; thus enabling us to advance our moral and social condition, and to acquire that political and physical independence from which so large a proportion of the human family is debarred. It becomes us, therefore, to acknowledge His goodness with suitable reverence, and to invoke a continuance of his blessings upon our beloved country, and upon our efforts to discharge with fidelity the trusts which have been committed to us. The increased prosperity of the country, I cannot but think, is, under Divine Providence, in a great measure to be attributed to a wise change in the policy of the General Government of the Union with regard to our commerce with foreign nations. The repeal of the high tariff of 1842, and the adoption of a more liberal system of duties by the act of 1846, has not only had the effect of producing an increase of revenue to the national treasury, but an increase of profits to the agriculturists. This class of our fellow-citizens, constituting the main foundation of our national wealth and prosperity, has, by means of diminished duties on commerce at home and abroad, been enabled to find a market for a greater proportion of their surplus products than they could otherwise have disposed of to advantage. Making every allowance for any influence on prices which may have been produced by a season of unusual scarcity in Europe, yet, when we consider that how great soever may be the necessity of the people of other countries, their ability to purchase food from us is limited by their ability to pay for it by the produce of their own labor, it is evident that every restriction which prevents us from receiving such produce in return must reduce the quantity or value of that which they receive from us. Happily for all parties, for the over-producer of our own country, as well as the starving consumer abroad, upon the occurrence of a general failure of the crops in Europe in 1846, the restrictions which had formerly existed were in a great measure removed, and we were prepared to reap the full benefit of the increased demand thus created.

It is to be remarked, also, that while those engaged in the culti-

vation of our soil have been so greatly benefitted by the opening of a foreign market, the manufacturing and commercial classes have enjoyed at least their full share of the common prosperity. The great increase of manufactories, and of manufacturing and commercial capital since the passage of the comparatively low tariff of 1846, proves that these interests are in a most flourishing condition. In fact, the agricultural interest so greatly predominates in this country, that most others are in a great degree dependent upon it, and must to some extent flourish or languish, as that becomes prosperous or depressed. Indiana is especially an agricultural State, and it is of the utmost importance to our citizens that the sound and enlightened policy of low duties or a revenue tariff—of striking off all restrictions upon trade not required by the wants of the public treasury economically administered—should continue to be maintained. Many of our fellow-citizens, who entertained serious apprehensions that the establishment of this policy would be fraught with great evil, if not with ruin to most of our leading interests, are doubtless gratified to find at length that their apprehensions were not only without foundations, but that the very reverse is true. It affords me still greater pleasure to be able to remark, that the present increase of prosperity, appears to be founded, at least to a far greater extent than heretofore, upon a solid and substantial basis. It was not brought about as formerly by a wild and extravagant spirit of speculation, nor by a similar expansion of currency, but mainly by the gradual and wholesome operations of a profitable trade, confined within its legitimate channels. There is now no great banking institution under national authority, overshadowing all the other monetary institutions of the country, capable of wielding an almost irresistible political power, and able by means of a vast capital and the control of the national treasury itself, to contract or expand the amount of currency in circulation throughout the entire country, and consequently to cause the prices of every kind of property to rise or fall as it might supply or withdraw the means of payment. Since the existence of the last institution of the kind in the United States more than ten years have elapsed, and more than six since its gigantic substitute under the same name, created by the Legislature of a sister State, ceased its operations as a bank of circulation. The whole country since their extinction has been steadily advancing from adversity to prosperity, and our subsequent experience, has, it is believed, been long enough to settle the so much agitated question, how far such an institution is necessary to the trade, the productiveness, the enterprise, or the general welfare of the country. The constitutional treasury by which the collection and disbursement of the national revenue are entirely disconnected from banking operations, has been in full operation more than twelve months. Yet the inconveniences which many, no doubt, honestly apprehended, from the absence of a national bank and the establishment of an independent treasury, have not been experienced. On the contrary, during the time which has elapsed since

its establishment, the largely increased disbursements rendered necessary by the existing war, have been made through its agency at various and distant points, without loss and with the requisite ease and promptitude.

A far greater amount of gold and silver is infused into all the channels of our circulation, than at any former period of the history of our country. Exchanges upon all points are uniform, cheap and readily to be obtained, and in these respects they favorably contrast, it is believed, with those of any time during the sway of a Bank of the United States. They are not based upon fictitious movements of bank credit, but on the true and only sound principle upon which they can be well regulated, namely, upon actual business transactions between different sections of the country. When it is considered that during the experimental operation of these leading measures of national policy, it has been their lot to encounter the adverse influences of a foreign war, which cannot fail more or less to affect the trade, and resources of a country, their intrinsic merits and the wisdom of their adoption must be still more manifest. In fine, every thing indicates that the present appearance of financial improvement throughout the country, is no illusion, and that a fair promise is afforded, of its being substantial and permanent.

Nevertheless it should be remembered that when the tide of prosperity is swelling to its greatest height there is the greatest need of caution. The irrepressible energy and love of enterprise of the American people, are apt to induce them, when fired with success, to overleap the bounds of prudence, and fall into extravagant and ruinous speculations. The sure, and only sure remedy against this threatening evil, is, the observance of economy and industry, and above all, *to resist the allurements of credit*. Occasion was taken in former communications to express my serious convictions that the observance of this caution is essential to the continuance of our welfare and prosperity. Impelled by a filial regard for the State which is the seat of my home and my attachments, and which has laid me under deep and renewed obligations, I cannot omit in this crisis of our affairs, to once more caution my fellow citizens against a practice which experience has proven to be fraught with ruin.

It is earnestly to be hoped that while they industriously and vigorously improve the advantages that are now within their reach, they will be sufficiently careful to avoid the evils into which they have fallen from this cause on former occasions.

The present war with Mexico is deeply to be regretted, inasmuch as the consequences of a resort to arms, are at all times seriously to be deplored, and more especially by a people blessed with a government and institutions like ours. Nevertheless, the Congress of the United States, vested by the Constitution with the appropriate power, having declared, by a vote nearly approaching to unanimity, that war exists, and by the act of Mexico, it becomes us as American citizens, to uphold the rights, the honor, and the law of our common country, at all hazards and in every emergency. The his-

tory of our race has but too lamentably proved, that how great soever may be its desire, peace is not in the power of any nation. Unless the pacific spirit and policy of one power, is met by a corresponding spirit on the part of others, the question in dispute is left in the last resort, to the arbitrament of the sword. Few instances, it is believed, are to be found on the page of history, of a war more justifiable, *by the laws of nations*, so far as the United States are concerned, than that in which they are now engaged with Mexico. Passing by a long series of aggressions, running back into the year 1821, which was the first of her asserted independence, against the persons and property of our citizens, for which reparation was promised by its accredited agents, only to be followed by disappointment—passing by the patience and long suffering of our own government, under the last six administrations, Mexico at last brought on the war, by striking the first blow, and shedding the first blood.

Nor can it be successfully maintained, that the advance of our troops beyond the Nueces, was the real cause of the war, when it is considered that long before that advance, Mexico had distinctly and repeatedly taken the ground, through her Minister at Washington, her government at home, and her Generals in the field, that the annexation of Texas was the true cause and origin of the war which has ensued.

Before the advance of our troops, too, it was repeatedly and formally published by different commanders of the Mexican armies, that their object and mission, was to conquer and wrest from our possession, one of the States of this Union—a State which had been made such, with the due solemnities of law, and that too, from territory acquired before the present administration of our government, came into power. 'This war then, it is true, was a war of conquest, but it was so on the part of Mexico. Such certainly is the fact, if any faith is to be placed in the solemn declarations of a nation, made through its authorized functionaries, and followed up by corresponding action. It is demonstrable, then, that the war was brought about by the unjustifiable acts and aggressions of the Mexican government; for it is assumed as a position that is incontrovertible, that whatever differences of opinion may have existed in our own country, as to the mere policy or expediency of the acquisition of Texas, so far as the United States were concerned, yet that Mexico had no reason to complain of that measure. That territory was, at the time, both by right and in fact, as independent of the control of Mexico, as was Mexico herself of the crown of Spain, against which she had also previously rebelled, and it was so recognized by the principal nations of the civilized world. Under these circumstances, to have been deterred from doing an act not improper in itself, clearly justified by the laws of nations, and called for by the unanimous voice of those interested, by the threats of a party who was not entitled to interfere, would have invited further aggression from the same quarter, and lowered the character of our country, in the es-

timation of all other nations. In the progress of the war thus forced upon us, far from being actuated by a mere spirit of conquest or of rapine, the olive branch has been uniformly borne in advance, and the cruelty and faithlessness of an insidious foe, have been met on the part of our troops generally, with a forbearance, a kindness, and a magnanimity rarely equalled. We have desired only to maintain the national dignity and honor, and to secure such results as would afford some guaranty for a peaceful conduct of an arrogant and faithless race for the future, and a full and just indemnity for the past. Being engaged in the war, humanity itself would seem to require its energetic prosecution, as well for the purpose of saving the effusion of blood by bringing it to a speedy close, as to inspire that and other powers with such a respect for our prowess, as will for a long period, it is hoped, save us from the necessity of again having recourse to arms.

That the indemnity to which we are entitled, should consist of territory, is manifest, in view of the crippled resources and exhausted revenues of Mexico, the instability of her government, the revolutionary character of her people, her fickleness in relation to her past monied engagements, as well as from her immense nominal possessions, which lie conterminous with our western boundaries, which to a great extent, are unreclaimed from the hand of nature, and uninhabited, and which in the hands of the present possessors, are likely to remain so for an indefinite period. And while such an indemnity will, it is believed, best comport with the interests and the ability of Mexico, it is the most desirable for the United States. Our numbers, which increase at a rate to which the history of the world scarcely affords a parallel, and the unequalled enterprise and industry of our people, will soon require additional lands for their accommodation.

The citizens of this State have not only responded to every call that has been made upon them by the general government for aid and assistance, but they have tendered the services of many additional companies, which could not be accepted. The three regiments of volunteers, which were raised during the year 1846, have returned home with honor, after having seen much arduous service. Owing to some misapprehensions or misrepresentations of the facts, much injustice was done to one of those regiments in the accounts which were first published of the brilliant victory of Buena Vista. Since then, however, public opinion has been set right upon that point, and it is now universally acknowledged that no troops upon the field contributed more bravely and effectively in deciding the fate of the day against greatly superior numbers, than the two regiments of volunteers from this State, which had the good fortune to be present. Besides several companies of regulars, chiefly raised in this State during the last two years, two other regiments of volunteers have, in the last summer and autumn, departed for the field of action; the details, as to which are contained in the accompany-

ing report of the Adjutant General. I cannot too strongly recommend to your attention the careful preservation of the rights and privileges of the brave men who are thus absent in the service of their country. In every constitutional measure, having for its object such protection or extension of their political or personal rights, as the circumstances may seem to demand, or to evince the gratitude so justly due them from the State, for their services and sacrifices, I assure you of my thorough co-operation.

The ordinary expenses of the State Government for the fiscal year ending on the 31st of October last were \$90,762 67.

The ordinary expenses for the year 1848, are estimated by the Auditor in his report at the present session at \$71,900.

The number of polls returned for 1847, (estimating for the counties of Cass, Crawford, Jefferson, Lake, Pulaski and Wells, from which returns have not been received, as being only the same as last year,) are \$129,857, being an increase of 2,762, over that of the preceding year.

The value of the entire taxable property returned for 1847, (estimated in like manner for the same counties) is \$124,558,060, being an increase of \$1,908,506 00, over that of last year.

The amount of revenue paid into the State treasury during the last fiscal year, including some previous arrearages, is \$362,347,07, being \$68,486,07, more than was paid in during the previous fiscal year.

The assessment for 1847 is, for State purposes, \$450,674,77, and for county, township, road and school purposes collectively, \$562,-671,20.

Add to these sums the delinquencies of former years, \$127,258,47, and the total amount of the duplicates for 1847, is \$1,100,604,44.

A slight examination of our present revenue system, will be sufficient to demonstrate its great susceptibility of improvement.— Under its workings, it is quite manifest that a large amount of the invisible wealth of the community, such as corporation and other stocks, cash on hand or at interest, and the more portable and valuable kinds of personal property &c., is not found on the assessment rolls. This description of taxables is generally owned by those who are the best able to pay and their non-assessment leaves the burden of taxation so much the heavier on property which is visible, and especially on lands, which cannot escape notice and scrutiny, and which the true policy of our State requires, should not be visited with disfavor. The assessment sheets of 1847 as compared with those of 1846, show a decrease on personal property, in some counties, of \$20,000, in one county of \$40,000, in another of \$50,000, and in another of \$75,000. The Auditor of State has presented some further facts and reflections, in relation to the present mode of assessment at the close of his report made at the present session, to which your attention is invited. Although careful and elaborate legislation is probably necessary to make the system such as it ought to be, yet it is believed that very little labor will be found

sufficient to remove its most glaring evils, and the subject is recommended to your early consideration.

By an act of Congress to establish a uniform time of holding elections for electors of President and Vice President in all the States of the Union, approved January 23, 1845, it is provided that the electors shall be appointed in each State on the Tuesday next after the first Monday in the month of November of the year, in which they are to be appointed. As the day for holding such elections heretofore in this State, has been on the first Monday in November of each year, and as by the existing State laws, the returns of the same from the several townships are required to be delivered to the proper clerk of the circuit court on the following Wednesday, the postponement of the time of delivery of such returns until the Thursday after the election is respectfully recommended in order that the same time may be afforded for making the returns under the present, as was allowed under the former law.

By the present law too, the Governor is required to transmit to the electors, certificates of their election, by the hands of the marshals or of special messengers. From motives of economy, it is presumed that the marshals will always be employed in the transmission, unless in cases of emergency. If they are so employed, it is desirable that the Legislature should settle the mooted question, whether they should receive any compensation for that service, in addition to that which the present law gives them for travelling and returning, over nearly or quite the same ground in making their returns to the Secretary of State. And if it should become necessary to employ one or more special messengers for the performance of that service, some provision should also be made by law, settling the amount, and pointing out the mode of their compensation.

By reference to the Auditor's report, it appears that the principal of the late suspended debt of Indiana now amounts (or rather, at the commencement of the operations under its late arrangement, it did amount) to \$11,065,000, in the shape of outstanding bonds. On this amount no interest had been paid, (until that arrangement,) since in the year 1841, when the credit of the State was prostrated. The amount of the annual interest on that debt is over half a million of dollars, [\$554,770,] payable half yearly. This debt, large in itself, was therefore increasing at a rapid and fearful rate, and in view of that and of our limited resources, many of our best citizens, involved in despair, and anxious to leave their property unincumbered to their children, were sacrificing their homes for far less than their value, and leaving the State. The same causes were preventing men of capital and industry from coming among us, to purchase property, improve the country and add to our wealth. All this, it is evident, had a tendency to increase the gloom and despondency that pervaded our business affairs generally, and to diminish the ability of the people, (the great mass of whom were also involved in debt,) to meet their individual engagements. Add to these considerations the example already set by other indebted States

in resuming payment of their obligations, and it is not surprising that a general anxiety should have existed in Indiana, that its character, if possible, should also be vindicated.

The great obstacle that presented itself to so desirable a result, was the great disparity between the amount of the debt, and the ability of the State for its discharge by means of taxation. It was under this conviction, generally, if not universally entertained, that I favored the principle of disposing of the profits of the Wabash and Erie Canal, in satisfaction of so large a portion of the debt, as to leave the balance within the ability of the State to pay from the treasury, as the only practicable means left the State whereby to avoid the evils enumerated, and to wipe off the reproach of repudiation; and I earnestly recommended that the proposition should be respectfully considered, in the hope that it might eventuate in an arrangement honorable to the State and satisfactory to its creditors. The result was, the passage at the same session, of the bill, which received my approval on the 19th of January, 1846, to provide for the funded debt of the State, and for the completion of the Wabash and Erie Canal to Evansville.

Early in the following July, a letter was addressed to my department, on the part of the committee of bondholders, (under whose authority the proposition had been made, which had resulted in the passage of the bill referred to,) enclosing resolutions adopted by the committee, in which an opinion was expressed, favorable to the principle of that bill, namely, "the payment of one-half of the principal and interest by taxation, and the other half by the property and tolls of the canal, from the State line adjoining Ohio, to Evansville; such property to be assigned to three trustees, and the State to be freed from responsibility on that portion of the debt and interest so to be secured."

In my next annual message, that of last session, in communicating the fact that the principle of the arrangement offered by the bill, had received the assent of the committee, occasion was taken to state that within the sphere of my own observation, and so far as my information extended, the expression of the great majority of our own citizens was also decidedly in its favor. It was further stated that the bondholders desired some modifications of the bill by the legislature, which, I was informed, would not conflict with the principle of the bill, and yet were deemed essential for carrying into full effect its fair and obvious intent, and that any such modifications, if they added nothing to the burthens of the people, would, it was believed, be responsive to their will, and it was also trusted, would receive the favorable action of the legislature.

The action on the proposed modifications resulted in the passage of the supplementary bill which received my approval, January 27, 1847. Both of these bills contemplated that on the surrender of any of the State bonds, they should be cancelled, and new certificates issued to the holders in lieu of them, and that only one-half of the interest due on them, (which, is fixed at the uniform rate of five

per cent. per annum,) should be paid from the treasury, and the other half exclusively from the profits of the canal. Both of the bills also contemplated that the bondholders who should come into the arrangement should finish the canal to Evansville at their own expense, aided by the proceeds of the lands, &c., which were granted to the State for that purpose, and they were to look to the profits of the canal alone, to repay them the cost of its construction and management.

But while the original bill gave the State the option of *afterwards* throwing one-half of the *principal* also, upon the canal for payment, by the supplementary bill, (and consequently, by the law as it now stands,) that object is at once effected, by one half of the surrendered debt, both principal and interest, resting exclusively upon the canal for payment, the State being released from all further responsibility in relation to it. The great and leading principle, therefore, of the first bill, namely, the satisfying of one-half of the surrendered debt from the canal, remains unchanged, nor does the supplementary bill involve the State any further in debt. The main difference between the bills consists in the latter giving to the bondholders, who should finish the canal, a *priority* in the payment of their claims and expenses of its construction, out of the tolls and profits, over those who would not join in its construction.

The latter class, however, by surrendering their bonds, would still have the interest on one-half of their debt, (equal to two and a-half per cent. on the whole,) satisfied from the treasury, as in the case of the others, and they would also be paid in whole or in part, the interest on the other half, from the profits of the canal, if any remained after paying those entitled to a priority, as before stated. Even if they receive nothing from the canal, therefore, the amount of the interest paid to them, by their acceding to the present arrangement, would be only one-sixth less than they would have received under the rival plan introduced into the Legislature, which proposed to give them but three of the five per cent. which their bonds called for. By the rival plan, too, the canal would not have been finished, as the credit of the State was broken down and she could hardly have been expected to construct it with only the lands granted by Congress for that purpose. This munificent grant, then amounting to about 800,000 acres of land, would, in that case, by the terms of the grant, have reverted to the United States, and thus have been forever lost to Indiana.

By the supplementary bill, all bondholders were allowed to subscribe towards the completion of the canal, until to as late a period as the first of November last, and to surrender their bonds at any time before the first of the following month. It was also provided that unless the subscription towards the canal was made, and bonds to the amount of \$4,000,000 principal, surrendered by the times limited in the bill for those purposes respectively, the arrangement should cease and be void. Apprehensions were expressed on the

part of some, opposed to the measure, that a comparatively few wealthy persons controlling bonds to that (or a little larger) amount, would get possession of the canal, to the exclusion of the residue of the bondholders, who, on account of their supposed poverty, would be unable to pay their quota towards completing it, and by reason of the priorities already spoken of, be excluded from any share in its profits. The objection was not that the bill of the last session imposed any greater burdens upon the people of the State, than did the bill of the previous session, (for there was no pretext for that,) but that one part of our creditors would be benefited by it more than others, and that a large portion of them being unable to come into the arrangement, their claims would thus be virtually repudiated. The fear indeed was expressed by some, that but one-half of our debt would be brought in, (being \$5,545,000 of principal, with the interest,) that amount only being necessary, before the deed of trust for the canal and its appurtenances should be finally executed. The right to priority of payment, however, seems in practice to have produced an effect precisely the reverse of that apprehended by some, namely, the rapid surrender of a heavy amount of bonds, in the hope of benefiting by the priority; while as to the first bill, which did not contain the clause in question, not a bondholder would accept of its provisions.

It is now cause of congratulation with all to find that at our last advices more than \$9,000,000 of bonds, exclusive of interest, had already been cancelled under the arrangement. I was also informed at the commencement of the present session, by the trustee residing in New York, that when he left that city, he had information that the surrender to the amount of about half a million more, was shortly expected, and hopes are entertained that the bulk of the remainder will finally come into the measure.

Having been satisfied that the requisite number of bonds had been surrendered to the Agent of State, for exchange and cancellation, and that the proper amount had been paid over towards the construction of the canal, the deed of conveyance, bearing date the 31st day of July last, was duly executed to the trustees, as required by the 9th section of the supplementary bill, and consequently the original bill, as modified by that, is in full force and operation.

Whatever difference of opinion may have existed heretofore, in relation to this measure, it is confidently hoped, that now, as the law of the land, and closely connected as it is with the character and prosperity of the State, and of its citizens, it will receive, as in my judgment, it justly merits, the support of all, and that nothing will be done or omitted, which may be calculated in the least to violate good faith or to impair the efficiency of the arrangement.

The first half yearly interest required by the law, was promptly paid on the 1st day of July last, and although it was found necessary for the Legislature, at their present session to authorize a loan of the amount of the interest due on the first day of January, yet that was not because the present rate of taxation is not sufficient

to comply with the new arrangement, (for it is deemed amply sufficient) but because the revenue is not required by the existing law to be paid into the treasury until the fourth Monday of February, and hence it became necessary, to merely anticipate the revenue by the law in question. It is respectfully recommended to your early consideration, to adopt some permanent measure for providing for any such temporary embarrassment in future.

The final arrangement of our public debt cannot fail to exercise a favorable influence upon the property, the morals, and the character of the State, and is the cause of heartfelt congratulation with all. We have suffered much through past improvidence, may we never neglect the lessons it has taught us.

Let no debt be incurred hereafter unless in case of the most imperative necessity, and not then except provision be at the same time made to pay the interest, and for the final extinguishment of the principal. Few will be found hardy enough to advocate another general system of improvements. But the danger lies in commencing one by degrees. If a favor is granted to one section of the State it gives rise to demands from another, and finally there is imminent danger of irresistible combinations of interests for the prosecution of a number of works, neither of which could find favor alone. As a general rule such works are far better left to individual enterprise, under the great law of supply and demand. Already we have a large amount of capital in the country with the prospect of its progressive increase. The inducements for its investment in works of this character, are very great, and the only apprehension that now need be felt is, that sufficient care will not be taken in the chartering of companies for their construction, to protect the rights of the public. If capitalists would not be justified in risking their means in the construction of a particular work or works, the State now just emerging from insolvency, should not be required to do so. The level surface and fertile soil of Indiana, offer great inducements for the construction of Rail Roads with a view to profit, and the most profitable because the most needed, will be first undertaken. When constructed by private or associated means, there is less extravagance, and less danger of the faithlessness of agents, than if they are constructed by the State.

In discussing this topic, I beg once more to recommend the most rigid economy, now rendered, if possible, more desirable than ever.

Our faith is restored, and it must be preserved. Let the resolve of every heart be that it shall be preserved.

Occasions frequently arise for making requisitions upon the Executives of other States and Territories, for fugitives from the justice of this State, and provision is made by the existing law, that all expenses incurred in their recapture, "if the Governor shall allow the same, shall be paid out of the moneys appropriated by the General Assembly for such purposes." As no such appropriation has ever been made, the law has remained a dead letter, and the custom has been to make the required allowance in the specific ap-

propriation bills. By this omission, not only has there been a delay of the payment for the services and expenses of the agent, but in the absence of correct information, the treasury is exposed to the danger of exorbitant claims. A standing appropriation of small amount, would be sufficient for this purpose, and the adoption of a rule requiring a satisfactory verification of all claims for such services and expenses, before the same shall be allowed, will serve the cause alike of justice and economy.

The views and recommendations contained in the accompanying report of the Adjutant General, will doubtless receive at your hands that attention and consideration to which they are entitled. The commendation bestowed upon this officer in my last annual message, in relation to the discharge of his duties during that year, has been fully merited by the zeal, fidelity and promptitude with which he has performed those of the present year, varied and laborious as they have been. The nature, extent and value of these services, can better be ascertained from the report itself, and I suggest the justice and propriety of making him an additional compensation for the same.

It will be seen from the report of the Quarter Master General, also submitted, that that officer has been engaged, since your last session, with characteristic energy and faithfulness, in the collection and repair of the public arms, which had been lost and scattered in various parts of the State, besides attending to their reception, preservation and distribution. The increase in his correspondence, and in the regular duties of his office, also merit, in my judgement, a further compensation.

Occasion has been repeatedly taken in my former messages, to allude to the great amount of our local or special legislation, the danger of injustice by its means to individual interests, its expense to the treasury, and the large portion of time it necessarily occupies to the detriment of that mature and thorough consideration which is due to subjects of a general character. It was also recommended that the necessary powers should by general laws be conferred upon other and more appropriate tribunals, to afford the necessary relief, sought by means of private acts. The subject has been deemed of so grave importance that the constitution of New York, as lately amended, has a provision against this evil engrafted in it.

I was therefore much gratified to find the attempt to obviate it in part, by the passage, at the last session, of the act to authorize the formation of voluntary associations, approved January 27, 1847. It is hoped that no bill will now be introduced into the Legislature for an object, the accomplishment of which can be secured by that act. It is not intended to say that the act is not susceptible of amendment; on the contrary, it is believed it might be made to have a wider scope, with advantage. But that or any other defect can be easily remedied.

It is earnestly recommended that, as far as practicable, the residue

of the broad field of private legislation be occupied by a few general laws.

Permit me, also, again to call to your favorable attention, the subject of giving justices of the peace exclusive jurisdiction of divers trivial offences, now punished by indictment in the Circuit courts, at great expense to the county, and operating, by means of costs and loss of time, as a disproportionate punishment to the individual. I also commend to your favorable regard the policy of establishing houses of Refuge, in districts embracing a sufficient number of counties for the purpose, for the punishment and moral discipline of female and juvenile delinquents; where they will be beyond the contagion of confirmed vice and hoary crime.

My reasons in favor of these measures are given to some extent in my last two annual messages, to which you are respectfully referred.

The steady and successful progress made on the part of our Benevolent Institutions, as will more fully appear from the annual reports in relation to them, is a subject of just congratulation.

The Asylum for the education of the Deaf and Dumb was commenced as a State Institution so late as the 1st of October, 1844, (although it had existed as a private school, with a few pupils, for about one year previously,) and it already numbers eighty pupils. This is understood to be a much larger number than is found in the institution of any other State, in proportion to population, although several of them have been established for more than a quarter of a century.

The Institute for the education of the Blind commenced its operations only on the first of October last, with nine pupils, which are now increased to twenty five, and several others are soon expected.

The erection of suitable buildings for each of these institutions, on the eligible sites already purchased for that purpose, is much needed. The financial condition of the State requires that while they should be comfortable, commodious and permanent, and so constructed as to be susceptible of such additions as may be required hereafter by an increase of pupils, without marring the general design and appearance, yet they should be in a style of simple elegance, without expense or a useless display of mere ornament.

It is gratifying to learn that the Hospital for the Insane will probably be so far constructed by the 1st of July next as to be ready for the reception of a few patients, at that time, and that the work will rapidly advance to entire completion. I cannot doubt that each of these institutions will continue to receive at your hands that aid and patronage to which they are so well entitled.

The people of Indiana deserve great credit, and they will doubtless receive the prayers and tearful thanks of many of these unfortunates, for the cheerfulness with which they have paid a specific tax, in a time of great adversity, for the establishment and support of these benevolent institutions; and it is hoped it will not be forgotten by those concerned, that the best return that can be made in behalf of the inmates for this kindness, will be strict economy

and fidelity in the expenses and management of the establishments.

The facts and suggestions contained in the accompanying report of the Visitor of the State Prison will commend themselves to your consideration. Since its preparation, it has been gratifying to learn that the convicts have been removed to the New Prison, which will operate much to the advantage of their health and comfort.

In this connection, and in view of the expected early completion of the Hospital, I beg to call your attention to the importance of providing by law, that whenever a person is acquitted of crime on the ground of insanity, and he is found by the jury yet to be insane, or whenever a convict becomes insane while in the State Prison, he shall forthwith be placed in the Hospital. The former should not be suffered to go at large at the peril of life and property in the community; the latter is not a proper subject of punishment, and both require that moral discipline and medical treatment which would be found in the Hospital, and which recent experiments have proved so frequently effective for the restoration of reason.

It is upon the intelligence and virtue of its citizens, the State must chiefly depend for their social elevation and happiness, for their just and equal participation in the advantages of an enlightened freedom, for the prosperity of our unrivalled institutions in their original purity and republican simplicity, and for that progressive reformation of abuses, and political amelioration, which are the result of independent thought and free inquiry. I am therefore much gratified to perceive the increased interest which has latterly been manifested by the people of this State, in relation to the important subject of education.

Our higher institutions for the instruction of youth in literature and science, are a source of just pride and of great usefulness to the State, and it is gratifying to believe that they have never been in a more flourishing condition than at present.

In relation to the far more important subject of common school education, it is much to be regretted that, at present, when the faith and credit of the State are in process of resuscitation, and its available means are urgently required to meet the engagements entered into with its creditors, as well as those occasioned by our benevolent institutions, we are unable by legislation, to afford such immediate and substantial aid, as in a more flourishing condition of the finances of the State would be more in accordance with our desires and with a sound and enlightened policy. Much however may be done it is hoped, towards the adoption of a system, to be more fully matured in future, which will increase the usefulness, the efficiency, and the amount of the present school funds, secure their faithful application, extend the benefits to be derived from them more equally and satisfactorily—and especially which will ensure a greater degree of uniformity and promptitude in the collection of school returns and other statistics bearing upon the question; which is almost a prerequisite to any prudent and useful legislation, upon a subject which has caused so great a diversity of judgment.

Pursuant to resolutions passed by both branches of the General Assembly at its last session, recommending the friends of common school education to meet in convention at Indianapolis on the 26th of May last, such a convention did assemble and three gentlemen were appointed to draft a bill for the purpose of remedying the defects complained of in the school laws now in force. These gentlemen have fulfilled the object of their appointment by preparing "a bill to provide for the improvement of common schools." From the source whence it originated, and the care and labor which have doubtless been bestowed upon it, it will no doubt receive a mature and attentive consideration at your hands. As by a provision of the bill, it will not go into operation until approved by a majority of the people, it will be proper in case of its passage, to publish and circulate it extensively, in order that every voter may have an opportunity of fully understanding its provisions before he is required to pass upon it, at the ballot box, on the second Monday of March next.

I am aware that I have touched upon several topics in my views as to which I shall not be so fortunate as to have the concurrence of a portion my fellow citizens;—topics too, which some may regard as of a national concernment only, and therefore as inappropriate. But it will, it is trusted be sufficient to say, that as the prevailing usage in this regard must have created a general expectation that some expression on my part would be made on the present occasion, in relation to these questions, silence would have given rise to misconstruction. Feeling it to be my duty to meet frankly every such expectation, believing these questions to be of wide and momentous bearing, and regarding the present crisis in our affairs as imminent. I have freely advanced such views and indicated such a course of policy, as are, in my judgment, most conducive to the prosperity of the people, and to the honor and character of the country. In doing so, however, it has been my wish to subserve the cause of truth, without wounding the feelings of any. The greatest advances in the onward tide of human improvement have taken place under free governments, and have mainly resulted from freedom of thought and of speech. Mere difference of opinion therefore, so far as it excites candid discussion, is promotive of the discovery of truth, and is far from being a subject of regret. But when the too usual, but by no means necessary attendants upon party divisions, passion and prejudices are found so far to prevail, as to estrange hearts that beat in unison upon other great questions of human concernment, to sever the ties and deaden the charities of social intercourse, and to blunt the perception of truth itself, it exhibits a mournful picture of human weakness, and is cause of deep sorrow to the citizen and to the patriot.

However we may differ in relation to such questions, let us not forget that there are many others appertaining to us as a State, and important to the prosperity and happiness of our fellow citizens, as to which it is hoped we can cordially agree and co-operate. To

this end, it becomes us to implore the aid of infinite wisdom, without whose favor all our attempts will be vain, that He will be pleased to smile upon our councils and to bless our efforts for the common welfare.

JAMES WHITCOMB.

INDIANAPOLIS, Jan. 11th, 1848

The Senate then retired to their Chamber.

Mr. Jones of S., on leave, offered the following resolution:

Resolved, That five thousand copies of the Governor's message be printed for the use of the members of this House.

Mr. Meredith moved to strike out "5000 copies" from said resolution and insert "1000 copies" in lieu thereof.

Upon which motion Messrs. Lane and Meredith demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Armstrong, Bowling, Brown, Coble, Coffin, Cole, Colip, Commons, Dougherty, Frazer, Gooding, Gordon, Hamilton, Harding, Huddleston, Little, Lockwood, McCormick, McKenzie, Meredith, Miller, Morrison, Neff, Prather, Richmond, Robinson, Sackett, Stone, Mr. Speaker—29.

Those who voted in the negative are,

Messrs. Baldwin, Blackstone, Blythe, Bryant, Campbell, Chambers, Cookerly, Covington, Criswell, Danner, Davis, De Bruler, Dimmit, Dobson, Doyle, Ford, Fuller, Goodman, Graham, Hall, Harlan, Harvey, Hetfield, Holden, Hull, Hunt, Jones of B., Jones of S., Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of A., McDonald of L., Mills, Neal, Nimmons, Norris, Orr, Orton, Roache, Rulon, Short, Shryock, Slater, Smiley, Stanton, Sullivan, Terry, Thompson of C., Thompson of G., Tinbrook, Trimble, Widney, Williams of K., Williams of M., Winstandley, Wolf—64.

So said resolution was not so amended.

Mr. Hull moved to strike out "5000 copies" and insert "100 copies" in said resolution.

Which motion did not prevail.

Mr. Gooding moved to amend said resolution by striking out "5000 copies," and inserting in lieu thereof "2000 copies."

Which motion did not prevail.

The question then being on the adoption of said resolution Messrs. Lane and Little demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Blackstone, Blythe, Brown, Bryant, Campbell, Chambers, Cole, Colip, Cookerly, Covington, Criswell, Danner, Davis, De Bruler, Dimmett, Dobson, Ford, Fuller, Goodman, Graham, Hall, Harlan, Harvey, Hetfield, Holden, Jones of B., Jones of S., Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of A., McDonald of L., Mills, Neal, Nimmons, Norris, Orton, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Terry, Thompson of C., Thompson of G., Tinbrook, Trimble, Widney, Williams of K., Williams of M., Winstandley, Wolf and Mr. Speaker—62.

Those who voted in the negative are,

Messrs. Bowling, Coble, Coffin, Commons, Dougherty, Doyle, Frazer, Gooding, Gordon, Hamilton, Harding, Huddleston, Hull, Hunt, Little, Lockwood, McCormick, McKenzie, Meredith, Miller, Morrison, Neff, Orr, Prather, Richmond, Robinson, Sackett, and Stone—28.

So said resolution was adopted.

Mr. Brown, on leave, introduced,

No. 111. A bill to authorize the Auditor of State to subscribe for additional stock in the Madison and Indianapolis Rail Road Company.

Which was read a first and second times,

The rules being suspended, and ordered to be engrossed for a third reading.

Mr. Cookerly, on leave, offered the following resolution:

Resolved, That five hundred copies of the Governor's message be printed in German, which shall be counted as a part of the 5000 copies already ordered.

Mr. Little moved to lay said resolution on the table.

Upon which motion Messrs. Little and Harvey demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Blythe, Bowling, Coble, Colip, Covington, Criswell, Dimmett, Frazer, Fuller, Harvey, Hetfield, Holden, Huddleston, Hull, Little, Miller, Morrison, and Stone—20.

Those who voted in the negative are,

Messrs. Brown, Bryant, Campbell, Chambers, Coffin, Cole, Commons, Cookerly, Danner, Davis, De Bruler, Dobson, Dougherty, Ford, Gooding, Goodman, Gordon, Graham, Hall, Hamilton, Hard-

ing, Harlan, Hunt, Jones of B., Jones of S., Keiser, Kennard, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of A., McDonald of L., Meredith, Mills, Neal, Neff, Nimmons, Norris, Orr, Orton, Richmond, Roache, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Terry, Thompson of C., Thompson of G., Tinbrook, Trimble, Widney, Williams of K., Williams of M., Winstandley, Wolf, and Mr. Speaker—66.

So said resolution was not laid on the table; and,
 Pending further proceedings thereon,
 On motion by Mr. Little,
 The House adjourned until Thursday morning at 9 o'clock.

THURSDAY MORNING, JANUARY 13, 1847.

The House met.

The following message was received from the Senate, by Mr. Test, their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the House, entitled,

No. 87. An act fixing the time of holding circuit courts in the county of Marion, and for other purposes,

With one amendment, in which the concurrence of the House is respectfully requested.

Also the Senate has passed an engrossed joint resolution of the House of Representatives, entitled,

No. 14. A joint resolution to postpone the public sales of land in the Miami Reserve,

Without amendment.

The House refused to concur in the amendment of the Senate to bill No. 87, in said message mentioned.

On motion by Mr. Brown,

The House took up bill of the House,

No. 111. A bill to authorize the Auditor of State to subscribe for additional stock in the Madison and Indianapolis Railroad Company.

Mr. Frazer moved to refer the bill to a select committee with instructions to amend by adding the following section :

SEC. —. It is hereby made the duty of said Auditor and Treasurer to sell and assign said stock so authorized by this act to be subscribed, for the best price that can obtained therefor, not less than the par value thereof.

Mr. McDonald of L., moved to amend the amendment by instructing the committee to report a bill to authorize the proper authorities to sell all the stock owned by the State in said company.

Mr. Neal moved to lay the amendments on the table.

Which did not prevail.

Mr. Harvey moved the previous question,

Which was seconded by the House ;

And the question then being,

Shall the main question be now put ?

It was decided in the affirmative.

The question then being,

Shall the bill pass ?

The ayes and noes were demanded by Messrs. Gooding and Neal.

Which resulted as follows :

Those who voted in the affirmative are,

Messrs. Albin, Blackstone, Blythe, Brown, Bryant, Chambers, Coble, Cole, Colip, Commons, Cookerly, De Bruler, Dimmett, Dole, Fuller, Goodman, Gordon, Hamilton, Harding, Harvey, Hetfield, Hull, Hunt, Jones of Bartholomew, Keiser, Kinney, Lane, Lichtberger, Lockwood, Lowe, McConnell, McDonald of Adams, McKenzie, Meredith, Miller, Morrison, Norris, Orton, Prather, Richmond, Robinson, Sackett, Smiley, Stanton, Terry, Thompson of Gibson, Winstandley, and Mr. Speaker—50.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Bowling, Campbell, Carr, Coffin, Covington, Criswell, Danner, Dobson, Dunham, Ford, Frazer, Gooding, Graham, Hall, Hankins, Harlan, Holden, Huddleston, Jones of Switzerland, Kennard, Line, Little, Major, May, McCormick, McDonald of Lake, Mills, Neal, Neff, Nimmons, Orr, Roache, Rulon, Shryock, Slater, Stone, Swihart, Thompson of Carroll, Tinbrook, Trimby, Widney, Williams of Knox, Williams of Madison, and Wolf—46.

So the bill passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Harlan made the following report.

MR. SPEAKER :

The committee on enrolled bills have carefully compared the fol-

lowing engrossed bill of the House, and find it correctly enrolled, to-wit.

No. 14. A joint resolution to postpone the public sales of the lands in the Miami Reserve.

PETITIONS WERE PRESENTED.

By Mr. Cookerly,

The petition of sundry citizens of Vigo county, relative to extending the jurisdiction of justices of the peace;

Which was referred to a select committee consisting of Messrs. Cookerly, Meredith, Orton, Wolfe, and Chambers.

By Mr. Hunt,

A petition for a state road in St. Joseph and Láporte counties;

Which was referred to a select committee of Messrs. Hunt, Frazer, and Shryock.

By Mr. Nimmons,

The petition of citizens of Noble county for the vacation of a state road in said county;

Which was referred to the committee on roads.

By Mr. Nimmons,

The remonstrance of citizens of the same county against the vacation of said state road;

Which was referred to the committee on roads.

By Mr. Dobson,

A remonstrance from citizens of Owen county against the vacation of the town of Southport in said county or any part thereof;

Which was referred to a select committee of Messrs. Dobson, Short, and Gordon.

By Mr. Gordon,

A petition to vacate certain lots in the town of Hagerstown, in Wayne county;

Which was referred to a select committee of Messrs. Gordon, Winstandley, and Richmond.

By Mr. Winstandley,

The petition of A. S. Burnett and others, for changing the name of Melissa Davis to Melissa Emeline Miller;

Which was referred to a select committee of Messrs. Winstandley, Dunham, and Widney.

By Mr. McDonald, of A.,

The petition of Geo. F. Baker, of Adams county, to vacate certain lots in the town of Wabash, Adams county;

Which was referred to a select committee of Messrs. McDonald, of A., Campbell, and Harlan.

By Mr. Widney,

The petition of sundry citizens of DeKalb county, for a mill-dam across little St Joseph river;

Which was referred to a select committee of Messrs. Widney, Harding, and Wolfe.

By Mr. Morrison,

A petition from citizens of Jefferson county, for a charter for a turnpike road from Madison to Brownstown, *via* New Lexington ;

Which was referred to a select committee of Messrs. Morrison, Hull, and Ford.

By Mr. McConnell,

A petition from citizens of White county, praying for a charter for a railroad from Lafayette to Michigan City.

Which was referred to the committee on canals and internal improvements.

On leave,

Mr. Terry offered the following resolution ;

Resolved, That this House (the Senate concurring) on to-morrow, at 2½ o'clock, proceed to the election of a Superintendent on the Vincennes and New Albany McAdamized Road.

Mr. Cookerly moved to strike out all after the word resolved and insert—

“ That the House will, the Senate concurring therein, proceed to the election of a Trustee of the Wabash and Erie Canal on behalf of the State, and a Superintendent on the New Albany and Vincennes Turnpike Road, to-morrow morning, at 9½ o'clock.

Mr. Terry moved to strike out “Trustee of the Wabash and Erie Canal;”

Which motion prevailed ; when,

On motion by Mr. Gooding,

The resolution and amendments were laid on the table.

Mr. Slater moved to adjourn.

Which did not prevail.

Petitions were further presented.

By Mr. Colip,

The petition of Peter Wise and others for leave to build a mill dam across White river in Hamilton county;

Which was referred to a select committee of Messrs. Colip, Gooding, and Gordon.

By Mr. Jones of S.,

The petition of John A. Beal and others for the repeal of the law incorporating townships in Dearborn county, approved February 7, 1825, so far as the same relates to Switzerland county;

Which was referred to a select committee of Messrs. Jones of A., Covington, and Slater.

By Mr. Dobson,

A petition from sundry citizens of Owen county for the privilege of building a mill dam across White river in said county;

Which was referred to a select committee of Messrs. Dobson, Short, and Lockwood.

By Mr. De Bruler,

A petition from citizens of Perry county for a charter for a toll bridge across Anderson river;

Which was referred to a select committee of Messrs. De Bruler, Terry, and Sackett.

By Mr. McConnell,

A petition from citizens of Jasper and adjoining counties relative to the improvement of the Iroquois river;

Which was referred to a select committee of Messrs. McConnell, Rulon, Little, Lowe, and Goodman.

By Mr. Litchteberger,

The petition and remonstrance of certain citizens of Posey county, in relation to the relief of the securities of the late school commissioner of said county;

Which,

On motion by Mr. Litchteberger,

Was referred to the committee of ways and means.

By Mr. Jones of S.,

The petition of sundry voters and tax payers of Switzerland county, praying for an increase of the road tax in said county and for the application of the same in the construction of McAdamized roads in said county;

Which was referred to a select committee of Messrs. Jones of S., Ford, and Williams of M.

By Mr. Hull,

The petition of fire company No. 2, Madison, Ia., for a general law relative to the organization of fire companies in this State;

Which was referred to the committee on corporations.

By Mr. Dougherty,

The petition of James M. Lethers, to authorize the school commissioner of Morgan county to make a deed for certain school lands;

Which was referred to a select committee of Messrs. Dougherty, McKenzie, and Smiley.

By Mr. Cole,

The petition of Sarah Speck for a divorce.

Pending which,

On motion,

The House adjourned till 2 o'clock, P. M.

2 O'clock, P. M.

The House met.

The House resumed the consideration of the petition which was pending at its last adjournment,

Which was,

On motion by Mr. Wolf,

Laid on the table.

By Mr. Commons,

The petition of sundry citizens of Centreville, praying the legislature to amend the corporation of the town of Centreville;

Which was referred to a select committee of Messrs. Commons, Coffin, and Orton.

By Mr. Thompson, of G.,

The petition of sundry citizens in Gibson county, praying to be reimbursed expenses incurred defending suits brought against the Seminary lands in that county, by the Trustee of the Vincennes University;

Which was referred to a select committee of Messrs. Thompson of G., Blythe, and Williams of Knox.

By Mr. Hall,

The petition of sundry citizens of Elkhart county, in relation to the levying a road tax in said county;

Which was referred to the committee on roads.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred a petition of sundry citizens of the county of Elkhart, praying an amendment to an act regulating the mode of doing township business in the aforesaid county, have had that subject under consideration, and instructed me to report the following bill and recommend its passage :

No. 112. A bill to amend an act regulating the mode of doing township business in the county of Elkhart;

Which was read the first time, and ordered to a second reading.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the petition of sundry citizens of Posey county, asking the location of a state road in said county, have had the same under consideration, and direct me to report the accompanying bill and recommend its passage :

No. 113. An act authorizing the location of a State road in Posey county;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Covington made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of Thomas

Lindsay, and others, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 114. A bill to authorize the inspection of hay in the several counties of this State;

Which was read a first time, and ordered to a second reading.

Mr. Thompson of Carroll made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Carroll and Tippecanoe counties, praying for the establishing of a ferry across the Tippecanoe river, at a point known as Beauchamp's ferry, have had the same under consideration. and direct me to report, that it is not expedient to grant the prayers of said petition, and the committee ask to be discharged from further consideration thereof;

Which was concurred in.

The house then resumed the consideration of the resolution offered yesterday by Mr. Cookerly, to wit :

Resolved, That 500 copies of the Governor's message be printed in the German Language, which shall be counted as a part of the 5000 copies already ordered.

Whereupon, Mr. Lane moved to strike out 500 and insert 2000 in addition to those already ordered :

Which motion prevailed.

The question then being on the resolution as amended, the ayes and noes being demanded by Messrs. Line and Harvey,

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Brown, Bryant, Campbell, Carr, Chambers, Coble, Cole, Cookerly, Covington, Criswell, Danner, Dimmett, Dobson, Dole, Doyle, Dunham, Ford, Fuller, Gooding, Goodman, Gordon, Graham, Hall, Hamilton, Hankins, Harding, Harlan, Hatfield, Holden, Hunt, Jones of B. Jones of Switzerland, Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, Meredith, Mills, Neal, Neff, Nimmons, Norris, Orr, Orton, Richmond, Roache, Rulon, Shryock, Slater, Smiley, Sullivan, Swihart, Thompson of Carroll, Tinbrook, Trimble, Widney, Williams of Knox, Williams of Madison, Winstandly, Wolf, and Mr. Speaker—72.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Bowling, Coffin, Commons, De Bruler.

Dougherty, Frazer, Harvey, Huddleston. Hull, Little, Lockwood, McKinzie, Miller, Morrison, Prather, Robinson, Sackett, Short, Terry, Thompson of Gibson—23.

So said resolution was adopted.

Mr. Gooding offered the following resolution :

Resolved, That 500 copies of the Governor's Message be printed in the French language.

Mr. Williams of Knox, moved to strike out 500 and insert 200 copies.

Which motion prevailed.

The question then being on the resolution as amended,

The ayes and noes were called by Messrs. Gooding and Harvey :

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Brown, Bryant, Campbell, Carr, Chambers, Coble, Cole, Cookerly, Covington, Criswell, Danner, Dimmett, Dobson, Dole, Doyle, Dunham, Ford, Gooding, Goodman, Gordon, Graham, Hall, Hamilton, Harding, Harlan, Hetfield, Huddleston, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Meredith, Mills, Neal, Neff, Nimmons, Norris, Orr, Orton, Richmond, Roache, Rulon, Shryock, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Tinbrook, Trimble, Widney, Williams of Knox, Winstandley, Wolf, and Mr. Speaker—66.

Those who voted in the negative are,

Messrs. Blythe, Bowling, Coffin, Colip, Commons, De Bruler, Dougherty, Frazer, Fuller, Hankins, Harvey, Holden, Hull, Keiser, Little, Lockwood, McKinzie, Morrison, Prather, Robinson, Sackett, Stone, Thompson of Gibson, and Williams of Madison—24.

So said resolution was adopted.

The Speaker laid before the House the report of the Trustees of the Institution for the Education of the Blind ;

Which was laid on the table and 200 copies ordered to be printed for the use of the House.

The Speaker also laid before the House the report of the Quartermaster General ;

Which was laid on the table, and 500 copies ordered to be printed for the use of the House.

The Speaker also laid before the House the report of the Adjutant General ;

Which was laid on the table, and 500 copies ordered to be printed for the use of the House.

On motion by Mr. Line,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, JANUARY ^{1*}/₆, 1848.

The House met.

Mr. Prather offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the expediency of the State selling the amount of stock set apart to the State, in the Madison and Indianapolis railroad, as appears in the Auditor's report ; and report by bill or otherwise ;

Mr. Little moved so to amend the resolution as to include all the stock the State owns ;

Which was accepted by the mover ;

And said resolution as amended was adopted.

On motion by Mr. Robinson,

Resolved, That the committee on claims be directed to enquire into the expediency of allowing A. N. Blackledge, the Adjutant General, and the Quarter Master for their extra services in organizing and commissioning the volunteers of the State of Indiana.

On motion by Mr. Dougherty,

Resolved, That the House will (the Senate concurring therein) proceed to the election of State Librarian on to-morrow at 10 o'clock, A. M.

On motion by Mr. Sullivan,

Resolved, That the Principal and Assistant Clerks of the House be authorized to employ such assistance as may be necessary to the faithful discharge of their respective duties.

Mr. Neff offered the following resolution :

Resolved, That the judiciary committee be instructed to report a bill amending the estray law so as to require description of estrays to be filed with the county clerks of all estrays appraised under three dollars.

Mr. Dole moved to insert after the word instructed, "to inquire into the expediency of;" and strike out "to report a bill."

Which motion prevailed,

And the resolution as amended was adopted.

On motion by Mr. Brown,

Resolved, That the use of the Hall of the House of Representatives be given to Mr. E. T. Fletcher on Monday evening next for the purpose of delivering a free public lecture on the incidents of a journey through the great American Desert, New Mexico, Santa

Fe, Chihuahua, Durango, and also recollections of the march of Colonel Doniphan, at the request of the Union Literary Society.

The following message was received from His Excellency, the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by His Excellency, the Governor, to inform the House of Representatives that he did, on yesterday, approve and sign joint resolution, No. 14, entitled "A joint resolution to postpone the public sales of the lands in the Miami Reserve," which originated in the House of Representatives.

January 14, 1848.

Mr. Cole offered the following resolution :

Resolved, That the judiciary committee inquire into the expediency of making prosecuting witnesses, who volunteer to testify before grand juries, liable for costs upon the failure of the State to convict the defendants upon the indictment found upon their testimony, on a trial of the same in the circuit courts, and to report by bill or otherwise.

Which was not adopted.

On motion by Mr. Jones of S.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of enacting a law allowing writs of error in criminal cases, and that they report by bill or otherwise.

On motion by Mr. Carr,

Resolved, That the House will take up the orders of the day at 2 o'clock P. M. on each day during the remainder of the session, unless the same shall be reached at an earlier hour by the regular order of business

On motion by Mr. Blythe,

Resolved, That the judiciary committee be instructed to inquire whether any, and what alterations are necessary in the law in relation to occupying claimants, and report by bill or otherwise.

Mr. Kinney offered the following resolution :

Resolved, That the 8th standing rule of this House be so amended as to authorize the appointment of a standing committee on manufactures and commerce in addition to the committee authorized by said rule.

Which was ordered to lay over until to-morrow.

Mr. Gooding offered the following resolution :

Resolved, That five hundred copies of the report accompanying the school bill, with the appendix and notes, and also five hundred copies of the school bill in addition to those already ordered to be printed, be printed for the purpose of distributing the same among the people of the state.

Which, on motion by Mr. Wolfe,
Was laid on the table.

On motion by Mr. Brown,

Resolved, That this House will, (the Senate concurring therein,) proceed on to-morrow at half past ten o'clock, by joint ballot of the General Assembly, to elect an agent for the northern division of the Central Canal, to serve as such for the space of two years.

On motion by Mr. Frazier,

Resolved, That the committee of ways and means be instructed to inquire what amendments, if any, are desirable to our revenue system, and to report by bill or otherwise.

Mr. Coffin offered the following resolution :

Resolved, That this House will, the Senate concurring therein, adjourn *sine die* on Monday the 24th of the present month.

Mr. Covington moved to strike out the word "24th", and insert the word "31-st."

Mr. Harvey moved to lay the resolution and amendment on the table ;

And the ayes and noes being demanded on this question by Messrs. Coffin and Meredith,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blackstone, Brown, Bryant, Chambers, Cole, Colip, Cookerly, Criswell, Danner, De Bruler, Dimmett, Dobson, Dole, Doyle, Ford, Frazier, Fuller, Gooding, Gordon, Graham, Hall, Hamilton, Harding, Harlan, Harvey, Hetfield, Holden, Hull, Jones of B., Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Little, Lockwood, Lowe, May, McConnell, McDonald of A., McDonald of L., Miller, Mills, Morrison, Neal, Norris, Orr, Orton, Richmond, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Widney, Williams of R., Wolf, and Mr. Speaker—71.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Bowling, Campbell, Carr, Coble, Coffin, Commons, Covington, Dougherty, Durham, Goodman, Hankins,

Huddleston, Hunt, Jones of S., Major, McCormick, McKinzie, Meredith, Neff, Nimmons, Prather, Roache, Trimby, Williams of M., Winstandly—27.

So said resolution and amendment were laid on the table.

On motion by Mr. Durham,

Resolved, That the State Librarian be authorized to deliver to the commissioners appointed during the last session of the General Assembly to settle with J. R. Pratt & Co., in reference to the penitentiary, their report on that settlement for the purpose of correcting an error, to be by them returned to said librarian.

Mr. Stone offered the following resolution :

Resolved, That the committee on ways and means be instructed to inquire into the expediency of reporting a law requiring the proper authorities to dispose of all the stock owned by the State in the Madison and Indianapolis railroad to the best advantage, not less than the par value, and report by bill or otherwise.

Mr. Sullivan moved to strike out the word "par" and insert "current."

Which motion prevailed,

And the resolution as amended was adopted.

BILLS INTRODUCED.

By Mr. McKenzie,

No. 115. A bill regulating the salary of the auditor of Putnam county ;

By Mr. Ford,

No. 116. A bill to regulate clerk's fees in the probate court of Jackson county ;

By Mr. Brown,

No. 117. A bill relative to the charter of the city of Indianapolis ;

By Mr. Sackett,

No. 119. A bill to incorporate the Taylor cotton mills ;

By Mr. Sackett,

No. 120. A bill to incorporate the Perry cotton mills ;

By Mr. Sackett,

No. 121. A bill to incorporate the Cannelton Glass Manufacturing Company ;

By Mr. Sackett,

No. 122. A bill to incorporate the Cannelton Paper Mill ;

By Mr. Sackett,

No. 123. A bill to incorporate the Ward Cotton Mill ;

By Mr. Sackett,

No. 124. A bill to incorporate the Indiana Cotton Mill ;

By Mr. Sackett,

No. 125. A bill to incorporate the Cannelton Cotton Mill ;

By Mr. Sackett,

No 126. A bill to incorporate the Cannelton Foundry ;

By Mr. Thompson of Gibson,

No. 127. A bill to incorporate the Princeton Female Academy ;

By Mr. Lane,

No. 128. A bill granting to the citizens of the town of Aurora,
in the county of Dearborn, a city charter ;

By Mr. Williams of Madison,

No. 129. A bill to repeal a certain act therein named ;

By Mr. Covington,

No. 130. A bill to legalize the acts of the president and trustees
of the town of Rising Sun, in Ohio county, State of Indiana ;

By Mr. Hull,

No. 131. A bill to change the name of Ebenezer Barker Twit-
chel ;

By Mr. Stone,

No. 132. A bill for the relief of Mary M. Goodrich ;

By Mr. Shryock,

No. 133. A bill to extend the jurisdiction of the justices of the
peace in the counties of Fulton and Marshall ;

By Mr. Cole,

No. 134. A bill to authorize the auditor and school commis-
sioner of Miami county to make a deed to Jacob Brower ;

By Mr. Brown,

No. 135. A bill to vacate certain streets and alleys therein
named.

By Mr. Sullivan,

No. 136. A bill for the relief of S. and J. Bottorf ;

By Mr. Richmond,

No. 138. A bill to amend the 22d section of the 10th chapter of
the Revised Statutes, in reference to the duties of county survey-
ors and their deputies ;

By Mr. Hull,

No. 139. A bill to amend an act entitled an act to repeal an
act more effectually to enable supervisors to open and repair public
highways ;

By Mr. Carr,

No. 140. A bill to amend the 154th section, article 10th of 12th
chapter of the Revised Statutes of 1843 ;

By Mr. Hull,

No. 141. A bill in relation to the tax duplicate of the county of
Jefferson, for the year 1847 ;

By Mr. Commons,

No. 142. A bill to incorporate the Centreville and Abington
Turnpike Company ;

By Mr. Orr,

No. 143. A bill defining the time for presenting complaints to
the grand jurors of this State ;

Which were each read a first time, and ordered to a second reading.

Mr. Williams of M. introduced the following bill ;

No. 118. A bill for the relief of John Burke ;

Which was read a first and second times, the rules being suspended, and

On motion by Mr. Cookerly,

Referred to the committee on claims.

Mr. Harlan introduced the following bill :

No. 137. A bill to postpone the time for returning lands and town lots delinquent in the county of Grant, for the non-payment of taxes ;

Which was read a first, second, and third times, the rules having been suspended, and passed.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the report of Stearns Fisher, general superintendent of the Wabash and Erie canal, which

On motion by Mr. Harvey,

Was laid on the table and 500 copies ordered to be printed for the use of the House.

On motion by Mr. Robinson,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met.

The following message was received from the Senate, by Mr. Orth, a senator :

MR. SPEAKER ;

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the Senate, entitled :

No. 55. An act creating the Tippecanoe court of common pleas, and defining its jurisdiction.

In which the concurrence of the House is respectfully requested.

Senate bill No. 55, in said message mentioned, was read a first and second time, the rules being suspended therefor, and

On motion by Mr. McDonald, of L.,
Referred to the judiciary committee.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills and joint resolutions of the Senate, entitled :

No. 60. An act to incorporate the Greenbush Cemetery Association of Lafayette, in Tippecanoe county ;

No. 91. An act to extend the time of collecting the taxes in Dearborn county ;

No. 93. An act to repeal an act entitled "an act to restrict the grand jury in Franklin county to a limited time in their sessions ;"

No. 101. An act in relation to the county records of Lagrange county ; and

No. 96. A joint resolution relative to the Miami Indians ;

In which the concurrence of the House is respectfully requested.

Bills numbers 60, 91, 93, 101, and joint resolution No. 96, in said message mentioned, were severally read a first time and ordered to a second reading.

The following resolution was received from the Senate, by Mr. Rousseau, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed joint resolution, entitled :

No. 80. A joint resolution requesting the governor of the State of Indiana to present a sword to General Joseph Lane.

In which the concurrence of the House is respectfully requested.

Joint resolution of the Senate, No. 80, was then read a first time and ordered to a second reading.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills thereof, entitled :

No. 63. An act to change the name of Lewis Myres to Lewis Myres Douglass ;

No. 92. An act to fix the time of holding probate courts in Shelby county.

In which the concurrence of the House is respectfully requested.

Bills Nos. 63 and 92, of the Senate, were severally read a first time and ordered to a second reading.

The following message was received from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bills thereof, entitled, as follows :

No. 52. An act to prohibit the sale of spirituous liquors and wines, in Henry township, Henry county, Indiana ;

No. 68. An act for the relief of the city of Lawrenceburgh.

No. 81. An act in relation to the organization of the Senate and House of Representatives ; and

No. 87. An act changing the time of holding courts in the county of Knox :

In all of which the concurrence of the House is respectfully requested.

Bills of the Senate Nos. 22, 68, 81, and 87, were severally read a first time and ordered to a second reading.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has agreed to deliver to the Clerk of the House of Representatives the militia bill of last session, now on the file of the Senate, and the same is herewith delivered.

Also, by Mr. Test, the following message from the Senate :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that they insist upon their amendment to the bill of the House, No. 87, entitled "an act fixing the time of holding circuit courts in the county of Marion, and for other purposes."

On motion by Mr. Brown,

The House insisted on its refusal to concur in said amendment of the Senate to said bill No. 87.

Ordeed, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution :

Resolved, That the Senate will, the House of Representatives concurring therein, proceed, at 2 o'clock, P. M., to-morrow, the 14th instant, to the election of a Trustee on the part of the State for the Wabash and Erie Canal.

Mr. Harvey moved to concur in said resolution with the following amendment :

Strike out "half past 2 o'clock on to-morrow evening," and insert "on Monday, the 17th instant, at half past 2 o'clock, P. M."

Mr. Kinney moved to insert 10 o'clock instead of half past 2 o'clock on Monday the 17th inst.

Which was accepted by Mr. Harvey.

The question then being on concurring with the Senate resolution with said amendment.

And the ayes and noes being demanded by Messrs. Harvey and Meredith,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Criswell, De Bruler, Dole, Dougherty, Frazier, Gooding, Gordon, Graham, Hamilton, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Kinney, Little, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Swihart, Terry, Thompson of C., Thompson of G., Williams of M., and Mr. Speaker—50.

Those who voted in the negative are,

Messrs. Armstrong, Blackstone, Campbell, Carr, Chambers, Cookery, Covington, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Hetfield, Holden, Jones of B., Jones of S., Keiser, Kennard, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McDonald of A., McDonald of L., Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Tinbrook, Trimby, Widney, Williams of K., Winstandley, and Wolf—47.

So said resolution was concurred in with said amendment.

Ordered, That the clerk inform the Senate thereof.

ORDERS OF THE DAY.

Bills on Third Reading.

No. 33. A bill to amend an act, entitled "An act to incorporate the College Corner and Liberty Turnpike Company."

No. 36. A bill to authorize the board doing county business in Orange county to dispense with a road tax.

No. 37. A bill to incorporate the Connersville Hotel Company.

No. 40. A bill to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes.

No. 43. A bill for the relief of Dorothy Owens and others.

No. 45. A bill to extend the jurisdiction of justices of the peace in the counties of Lake and Porter.

No. 46. A bill to fix the time of holding the probate courts in the county of Putnam.

No. 52. A bill for the selecting of jurors in the county of Delaware.

No. 55. A bill for the relief of Collins Adams of St. Joseph county.

No. 57. A bill to incorporate the Brownstown and Scipio Railroad Company.

No. 59. A bill to authorize the trustees of school district, No. 1, township 37 north, range 5 east, in Elkhart county, to raise an additional tax.

No. 61. A bill to authorize the trustees of school district, No. 5, in township 37 north, of range 3 east, in St. Joseph county to levy a tax to finish a school-house in said district.

No. 62. A bill to incorporate the Botanico Medical Society of Decatur county.

No. 66. A bill to abolish the office of school commissioner of Floyd county, and for other purposes.

No. 68. A bill leaving it discretionary with the board of commissioners of Delaware county what compensation they shall allow supervisors for making their returns.

No. 71. A bill to amend the 22d section of an act of the Revised Statutes, entitled "An act for the relief of the poor."

No. 75. A bill relating to road tax in Perry county.

No. 76. A bill to amend an act, entitled "An act to authorize the people of Fayette and other counties therein named to elect their seminary trustees."

No. 42. A bill to provide for the selection of petit juries in the county of Warren.

No. 44. A bill (Senate) relative to the Marion circuit court.

No. 64. A bill to incorporate the Laporte Female Seminary.

Were severally read a third time and passed.

Ordered, That the Senate be informed thereof.

No. 69. A bill to authorize the board of Madison county commissioners to sell certain real estate ;

Was read a third time, and,

On motion by Mr. Williams of M.,

Indefinitely postponed.

No. 77. A bill to amend the estray laws ;

Was read a third time, when

Mr. McCormick moved to refer the bill to a select committee, with instructions to amend by striking out from the enacting clause and inserting a new bill ;

Which motion did not prevail.

On motion by Mr. Cookerly,

The bill was laid on the table.

On motion by Mr. Covington,

The House took from the table House bill,

No. 9. A bill granting to the citizens of Rising Sun a city charter.

Which was read a third time.

Mr. Jones of S., moved to recommit the bill to a select committee, with the following instructions :

Strike out all in the charter that relates to the boundaries further than to name the town of Rising Sun ;

Which motion did not prevail.

Said bill was then passed.

Ordered, That the Senate be informed thereof.

Leave being granted therefor,

On motion by Mr. Dunham,

Resolved, That the governor's annual message be referred to the committee of the whole and made the special order of the day for to-morrow at 2 o'clock P. M.

On leave granted therefor,

Mr. Lane presented a petition from sundry citizens of Dearborn county, praying for the repeal of the act changing the county seat of said county from Wilmington to Lawrenceburgh, and creating the county of Ohio.

Mr. Covington move to lay the petition on the table ;

Which did not prevail,

Said petition was then referred to a select committee of Messrs. Lane, Slater, Covington, Criswell and Jones of S.

On motion,

The House adjourned.

SATURDAY MORNING, JANUARY 15, 1848.

The House met.

ORDERS OF THE DAY.

Senate Bills on second reading—

No. 4. A bill to incorporate the Franklin Institute of the Richmond University ;

No. 22. A bill to prohibit the sale of spirituous liquors and wines in Henry township, Henry county, Indiana ;

No. 34. A bill to vacate certain streets and alleys in the town of Raysville, Henry county.

No. 35. A bill for the relief of Zachariah Collins ;

No. 36. A bill relative to the practice in the Laporte circuit court ;

Were severally read a second time, and ordered to a third reading.

No. 13. A joint resolution relative to bounty land warrants ;

Was read a second time, when

Mr. Cole moved to amend by inserting, "or upon any lands upon which the volunteer or holder of such land warrant may be entitled to a pre-emption right ;"

Was adopted, and said joint resolution was ordered to a third reading.

No. 30. A bill relative to the execution of decrees in chancery ;

Was read a second time, and,

On motion by Mr. Shryock,

Referred to the judiciary committee.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the two several resolutions of the House to go into an election of state librarian, and agent for the northern division of the Central Canal, at the time and in the manner specified in said resolutions.

Senators Beard and Barbour are appointed tellers on the part of the Senate in the election of agent for the northern division of the Central Canal.

Also by the same the following message from the Senate :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendment of the House to the resolution to proceed to the election of canal trustee on the part of the State for the Wabash and Erie Canal, on Monday, the 19th instant, at 10 o'clock A. M.

Senators Cassatt and Miller are appointed as tellers on the part of the Senate in said election.

No. 32. A bill to change the time of holding the probate court in the county of Allen, and to repeal certain acts therein named;

Was read a second time, when,

On motion by Mr. Keiser,

The rules were suspended, the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave,

Mr. Hull introduced,

No. 144. A bill fixing the times of holding circuit courts in the third judicial circuit ;

Which was read three several times, the rules being suspended therefor, and passed.

No. 37. A bill to vacate a street in the town of Brookville ;

Was read a second time, and referred to a select committee consisting of Messrs. Hamilton, Line, and Campbell.

On leave granted therefor,

Mr. Hamilton offered the following resolution, which was adopted :

Resolved, That the Senate be invited to attend *instanter* in the Hall of the House of Representatives for the purpose of proceeding to the election of a State Librarian and a superintendent of the northern division of the Central Canal, and that seats be provided for them on the right of the Speaker's chair.

The Senate then came into the hall, and the two Houses proceeded in joint convention, by viva voce, to the election of State Librarian, which resulted as follows :

Those who voted for John B. Dillon are,

Messrs. Barbour, Beard, Berry, Cassatt, Chenowith, Coats, Conduit, Cornett, Day, Davis, English, Ellis, Goodnow, Green, Hamrick, Handy, Harding, Henry, Holloway, Howell, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Miller, Milligan, Millikin, Montgomery, Morrison, Murphy, Murray, Orth, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Taber, Verbrike, Walpole, Waters, Winchell, Zenor, Albin, Armstrong, Bald-

win, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Carr, Chambers, Cable, Coffin, Cole, Colip, Commons, Covington, Criswell, Danner, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Frazier, Fuller, Gooding, Goodman, Gordon, Graham, Hall, Hamilton, Hankins, Harding, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of B., Jones of S., Keizer, Kennard, Kinney, Lane, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of A., McKinzie, Meredith, Miller, Mills, Morrison, Neal, Neff, Nimmons, Norris, Orr, Orton, Prather, Richmond, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Trimby, Widney, Williams of K., Williams of M., Winstandley, Wolf, and Mr. Speaker—143.

Mr. Dillon having received all the votes given, was declared duly elected State Librarian, to serve as such for the term of three years from and after the expiration of his present term of office.

The convention then proceeded to the election of superintendent of the northern division of the Central Canal, by ballot, Messrs. Carr and Hamilton acting as tellers on the part of the House.

The following is the vote of the first ballot :

| | | | | | | | | |
|-------------------------------|---|---|---|---|---|---|----|--------|
| Andrew A. Loudon received | - | - | - | - | - | - | 29 | votes. |
| Bazil Brown received | - | - | - | - | - | - | 75 | " |
| John R. Burke received | - | - | - | - | - | - | 4 | " |
| Matthew Little received | - | - | - | - | - | - | 23 | " |
| Elliott M. Patterson received | - | - | - | - | - | - | 1 | vote. |
| James McIlvain received | - | - | - | - | - | - | 1 | " |
| Cornelius Ferse received | - | - | - | - | - | - | 5 | votes. |
| Andrew Wallace received | - | - | - | - | - | - | 5 | " |
| James Perham received | - | - | - | - | - | - | 1 | vote. |
| Blank | - | - | - | - | - | - | 2 | votes. |

Bazil Brown having received a majority of all the votes given, was declared duly elected superintendent of the northern division of the Central Canal, to serve as such for the term of two years from and after the expiration of the term of service of the present incumbent.

Leave being granted therefor,

Mr. Lane made the following report :

MR. SPEAKER :

The select committee of eleven, to whom was referred a resolution of this House, with instructions to inquire into and recommend what relief was due to the people that have been injured by the unusual overflow of the Ohio river, have had the same under consideration, and unanimously instructed me to report the following bill and recommend its passage at as early a day as possible.

No. 145. A bill for the relief of the tax payers of certain counties therein named ;

Was read a first and second times, the rules being suspended therefor, when

Mr. Coble moved to insert Crawford county in the provisions of the bill.

Which motion prevailed.

Mr. Short moved to indefinitely postpone the bill.

Which did not prevail ; when,

On motion by Mr. Dole,

The bill was referred to the committee on ways and means.

On motion by Mr. Ford,

The vote on the passage of bill of the House

No. 57. A bill to incorporate the Scipio and Bloomington Railroad Company,

Was reconsidered.

Mr. Ford moved to re-commit the bill with the following instruction, "strike out the 22d section and insert in lieu thereof the following :

SEC. 22. That the directors of said company be liable for all debts contracted beyond the means of the company."

Which prevailed.

Messrs. Ford, Kinney, and Prather, were appointed said committee.

The following message was received from the Senate by Mr. Test their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the House No. 137, entitled, "An act to postpone the time for returning lands and town lots delinquent in the county of Grant, for the non-payment of taxes."

Without amendment.

Mr. Harvey moved to postpone the special order of the day on the Governor's message, from 2 o'clock on this day, until next Wednesday at 2 o'clock P. M.

Which motion prevailed.

On leave granted therefor,

Mr. Sullivan made the following report :

MR. SPEAKER :

The committee on canals and internal improvements to which

was referred a resolution in relation to a canal around the falls of the Ohio river on the Indiana side, have had that subject under consideration, and have unanimously instructed me to report the following bill and to recommend its passage:

No. 146. A bill to incorporate the Indiana canal company.

Was read a first time and ordered to a second reading.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the resolution instructing said committee to inquire into the expediency of reporting a bill reviving and amending the road laws, have had the same under consideration, and beg leave to report that they think it would be inexpedient for said committee to undertake the arduous task of revising the present road laws. It is well known that many of the counties of this state have special road laws, and the committee is aware that no road law could be drafted so as to meet the approbation of the people in different sections of the State. The committee therefore beg leave to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads to whom was referred house bill No. 12 authorizing the supervisors of Scott county to make their returns to the county commissioners on the first Monday of March annually, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

No. 12, was then read a second time and ordered to be engrossed.

On motion by Mr. Robinson,

The House adjourned until Monday morning at 9 o'clock, for the purpose of giving the several standing and select committees time to sit, and act upon, and dispose of such business as is now before them.

MONDAY MORNING, JANUARY 17, 1848.

9 o'clock A. M.

The House met.

On leave granted, Mr. McDonald of Lake, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred bill of the Senate No. 55, entitled an act erecting the Tippecanoe court of common pleas and defining its jurisdiction, have had the same under consideration, and directed me to report the bill back to the House without amendment, and recommend its passage, and ask to be discharged, &c.

Which bill was read a second time, and

On motion by Mr. McDonald of Lake,
Was read a third time and passed.

Ordered, That the Senate be informed thereof.

On leave granted, Mr. Morrison made the following report :

MR. SPEAKER :

The select committee to whom was referred the petitions of sundry citizens of the counties of Scott and Jefferson, praying for a charter for a turnpike road, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 147. A bill to incorporate the Madison, Lexington and Brownstown turnpike company.

Was read a first time and ordered to a second reading.

Also on leave granted, Mr. Dobson made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Owen county on the subject of erecting a mill dam across White river, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 148. A bill to authorize Findley B. Johnston to construct and keep up a mill dam in Owen county ;

Was read a first time and ordered to a second reading.

ORDERS OF THE DAY.

Senate bills on second reading.

No. 38. A bill for the relief of the sureties of John Plasters, formerly school commissioner of Miami county ;

No. 46. A bill to amend the act incorporating the Brookville and Cincinnati Turnpike Company ;

No. 48. A bill to authorize the clerk of the Carroll circuit court to sell certain real estate ;

No. 56. A bill for the benefit of the Union Literary Society ;

No. 60. A bill to incorporate the Greensburg Cemetery Association of Lafayette, in Tippecanoe county ;

No. 61. A bill to authorize Ira Bailey to build an arm to the Knightstown and Shelbyville Railroad company ;

No. 63. A bill to change the name of Lewis Myers to Lewis Myers Douglas ;

No. 68. A bill for the relief of the city of Lawrenceburgh ;

No. 81. A bill in relation to the organization of the Senate and House of Representatives ;

No. 92. A bill to fix the time of holding probate courts in Shelby county ;

No. 93. A bill to repeal an act entitled an act to restrict the grand jury in Franklin county to a limited time in their sessions ;

No. 101. A bill in relation to the county records of Lagrange county ;

Were severally read a second time and ordered to a third reading.

No. 87. A bill changing the times of holding courts in the county of Knox ;

Was read a second time, and,

On motion by Mr. Williams,

Laid on the table.

Joint resolution of the Senate,

No. 48. A joint resolution extending the term of office of the Superintendent of the Northern Division of the Central Canal ;

Was read a second time, and,

On motion by Mr. Little,

Laid on the table,

No. 43. A bill for the relief of Elizabeth Jones of Gibson county ;

Was read a second time, and,

On motion by Mr. Harvey,

Was amended as follows :

Strike out all that relates to its publication in the Indiana State Sentinel.

Said bill was then ordered to a third reading.

No. 96. A joint resolution relative to the Miami Indians ;

Was read a second time, and,

On motion by Mr. Cole,

Was amended by the addition of the following section :

SEC. 2. *Be it further resolved*, That His Excellency the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of the foregoing resolution.

The joint resolution was then ordered to a third reading.

No. 91. A bill to extend the time for collecting taxes in Dearborn county ;

Was read a second time and referred to the committee on ways and means.

No. 80. A joint resolution requesting the Governor of the State of Indiana to present a sword to General Joseph Lane ;

Was read a second time, and,

On motion by Mr. Blythe,

Referred to a select committee of five.

The chair appointed Messrs. Blythe, Cookerly, Lowe, Meredith, and Orton on said committee.

On leave,

Mr. Terry introduced bill

No. 149. A bill for the relief of Charity Forden, of Daviess county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 45. A bill to vacate a part of a State road in the county of St. Joseph ;

Was read a second time and order to a third reading.

House bills on second reading.

No. 85. A bill to legalize a sale of real estate by Peter Van-augan ;

No. 91. A bill concerning the State Library.

No. 92. A bill fixing jurors' fees before justices' courts in the county of Delaware ;

Was read a second time, and,

On motion by Mr. Hunt,

It was amended by striking out "squire" and inserting "justice."

No. 93. A bill to amend an act entitled "an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors."

The foregoing bills were severally read a second time and ordered to be engrossed.

No. 89. A bill to incorporate the Kosciusko, Miami, and Elkhart Railroad Company ;

Was read a second time, and,
On motion by Mr. Frazer,
Referred to a select committee.

Messrs. Frazer, Harvey, and Holden were appointed said committee.

No. 90. A bill to incorporate the South Bend Cotton and Woolen Manufacturing Company ;

Was read a second time and ordered to be engrossed.

No. 94. A joint resolution authorizing the Governor to procure a sword for Gen. Lane ;

Was read a second time, and,

On motion by Mr. Cookerly,

Was laid on the table.

No. 95. A joint resolution in relation to mileage of members of the General Assembly ;

Was read a second time, and,

On motion by Mr. Meredith,

Laid on the table.

Mr. Miller, on leave, offered the following resolution :

Resolved, That the Senate be invited to attend instantler in the Hall of the House of Representative sfor the purpose of electing a canal trustee on the part of the State, to serve as such trustee for the term of three years from and after the term of the present incumbent, and that seats be prepared on the right of the Speaker's chair ;

Which was adopted.

No. 97. A bill to incorporate the town of New London, Howard county,

Was read a second time and ordered to be engrossed.

The Senate then came into the hall and the two houses proceeded in joint convention to the twelfth balloting for canal trustee, which resulted as follows :

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | - | 28 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 20 " |
| Austin M. Puett received | - | - | - | - | - | - | 59 " |
| Willard Carpenter received | - | - | - | - | - | - | 26 " |
| James McCampbell received | - | - | - | - | - | - | 8 " |
| Charles H. Test received | - | - | - | - | - | - | 1 vote. |
| Mr. Bradley received | - | - | - | - | - | - | 7 votes. |
| Mr. Riley received | - | - | - | - | - | - | 1 vote. |
| Blank, | - | - | - | - | - | - | 2 votes. |

No one having received a majority of all the votes given, the convention proceeded to a 13th balloting, which resulted as follows :

| | | | | | | |
|---------------------------|---|---|---|---|---|-----------|
| Robert N. Carnan received | - | - | - | - | - | 28 votes. |
| Samuel Hanna received | - | - | - | - | - | 18 " |

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 63 votes. |
| Willard Carpenter received | - | - | - | - | - | - | 27 " |
| James McCampbell received | - | - | - | - | - | - | 4 " |
| Blank, | - | - | - | - | - | - | 4 " |
| Mr. Test received | - | - | - | - | - | - | 1 vote. |

No person having received a majority of all the votes given, the convention proceeded to a 14th balloting, which resulted as follows :

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 68 votes. |
| Willard Carpenter received | - | - | - | - | - | - | 30 " |
| Samuel Hanna received | - | - | - | - | - | - | 16 " |
| Robert N. Carnan received | - | - | - | - | - | - | 24 " |
| James McCampbell received | - | - | - | - | - | - | 3 " |
| Mr. Bradley received | - | - | - | - | - | - | 2 " |
| Blank, | - | - | - | - | - | - | 1 vote. |
| Mr. Stewart received | - | - | - | - | - | - | 1 " |
| Mr. Test received | - | - | - | - | - | - | 3 votes. |

No one having received a majority of all the votes given, the convention proceeded to a 15th balloting, which resulted as follows :

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|----------|
| Austin M. Puett received | - | - | - | - | - | - | 66 votes |
| Willard Carpenter received | - | - | - | - | - | - | 37 " |
| Robert N. Carnan received | - | - | - | - | - | - | 19 " |
| Samuel Hanna received | - | - | - | - | - | - | 13 " |
| James McCampbell received | - | - | - | - | - | - | 3 " |
| Mr. Test received | - | - | - | - | - | - | 4 " |
| Mr. Moore received | - | - | - | - | - | - | 1 vote. |
| Mr. Bradley received | - | - | - | - | - | - | 2 votes. |
| Blank, | - | - | - | - | - | - | 1 vote. |

No person having received a majority of all the votes given, the convention proceeded to a 16th balloting, which resulted as follows :

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 63 votes. |
| Willard Carpenter received | - | - | - | - | - | - | 33 " |
| Robert N. Carnan received | - | - | - | - | - | - | 10 " |
| Samuel Hanna received | - | - | - | - | - | - | 31 " |
| James McCampbell received | - | - | - | - | - | - | 3 " |
| Mr. Test received | - | - | - | - | - | - | 3 " |
| Mr. Bradley received | - | - | - | - | - | - | 1 vote. |
| Blank, | - | - | - | - | - | - | 2 votes. |

No person having received a majority of all the votes given, the convention was adjourned until 2 o'clock P. M.

The Senate retired to their chamber.

On motion,

The House adjourned till 2 o'clock P. M.

2 o'clock, P. M.

The House met.

The Senate came into the hall, and the two houses proceeded in joint convention to a 17th balloting for canal trustee, which resulted as follows:

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 64 votes. |
| Willard Carpenter received | - | - | - | - | - | - | 30 " |
| Robert N. Carnan received | - | - | - | - | - | - | 10 " |
| Samuel Hanna received | - | - | - | - | - | - | 36 " |
| James McCampbell received | - | - | - | - | - | - | 2 " |
| Mr. Test received | - | - | - | - | - | - | 2 " |
| Blank, | - | - | - | - | - | - | 4 " |

No person having received a majority of all the votes given, the convention proceeded to an 18th balloting, which resulted as follows:

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 66 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 42 " |
| Willard Carpenter received | - | - | - | - | - | - | 20 " |
| Robert N. Carnan received | - | - | - | - | - | - | 12 " |
| James McCampbell received | - | - | - | - | - | - | 2 " |
| Mr. Test received | - | - | - | - | - | - | 2 " |
| Blank | - | - | - | - | - | - | 4 " |

No one having received a majority of all the votes given, the convention proceeded to a 19th balloting, which resulted as follows:

| | | | | | | | |
|----------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 66 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 45 " |
| Willard Carpenter received | - | - | - | - | - | - | 14 " |
| Robert N. Carnan received | - | - | - | - | - | - | 14 " |
| James McCampbell received | - | - | - | - | - | - | 2 " |
| Mr. Test received | - | - | - | - | - | - | 2 " |
| Mr. Jones received | - | - | - | - | - | - | 2 " |
| Blank | - | - | - | - | - | - | 3 " |

No one having received a majority of all the votes given, the convention proceeded to a 20th balloting, which resulted as follows :

| | | | | | | | | |
|---------------------------|---|---|---|---|---|---|---|----------|
| Austin M. Puett received | - | - | - | - | - | - | - | 66 votes |
| Samuel Hanna received | - | - | - | - | - | - | - | 46 " |
| James G. Jones received | - | - | - | - | - | - | - | 13 " |
| Robert N. Carnan received | - | - | - | - | - | - | - | 16 " |
| James McCampbell received | - | - | - | - | - | - | - | 2 " |
| Mr. Test received | - | - | - | - | - | - | - | 3 " |
| Blank | - | - | - | - | - | - | - | 2 " |

No person having received a majority of all the votes given, the convention proceeded to a 21st balloting, which resulted as follows :

| | | | | | | | | |
|---------------------------|---|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | - | 66 votes. |
| Samuel Hanna received | - | - | - | - | - | - | - | 47 " |
| Robert N. Carnan received | - | - | - | - | - | - | - | 17 " |
| James G. Jones received | - | - | - | - | - | - | - | 13 " |
| James McCampbell received | - | - | - | - | - | - | - | 1 vote. |
| Mr. Test received | - | - | - | - | - | - | - | 3 votes. |

No person having received a majority of all the votes given, the convention proceeded to a 22d balloting, which resulted as follows :

| | | | | | | | | |
|---------------------------|---|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | - | 68 votes. |
| Samuel Hanna received | - | - | - | - | - | - | - | 47 " |
| James G. Jones received | - | - | - | - | - | - | - | 10 " |
| Robert N. Carnan received | - | - | - | - | - | - | - | 18 " |
| Mr. Test received | - | - | - | - | - | - | - | 1 vote. |
| Blank | - | - | - | - | - | - | - | 2 votes. |

No person having received a majority of all the votes given,
The convention then adjourned until to-morrow morning, 10 o'clock A. M.

The Senate then returned to their chamber, and,

On motion,

The House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, JANUARY 18, 1848.

The House met.

On motion by Mr. Jones of S.,
The reading of the journals of yesterday was dispensed with.

ORDERS OF THE DAY.

Bills on the second reading.

No. 103. A bill in relation to the fees of the treasurer of Owen county ;

No. 106. A bill lopping off all extra allowance to the clerk and sheriff of Delaware county as now allowed by the board of the same ;

No. 110. A bill for the better securing the titles in Spencer and Dubois counties ;

No. 112. A bill to amend an act regulating the mode of doing township business in the county of Elkhart ;

No. 115. A bill regulating the salary of the auditor of Putnam county ;

No. 116. A bill to regulate clerks' fees in the probate court of Jackson county ;

No. 117. A bill relative to the charter of the city of Indianapolis ;

No. 127. A bill to incorporate the Princeton Female Academy ;

No. 129. A bill to repeal a certain act therein named ;

No. 130. A bill to legalize the acts of the president and trustees of the town of Rising Sun, in Ohio county, Indiana ;

No. 131. A bill to change the name of Ebenezer Barker Twitchel ;
Were severally read a second time, and ordered to be engrossed.

No. 99. A bill in regard to the bonds of county officers ;

Was read a second time, and,

On motion by Mr. Lane,

Referred to the judiciary committee, with instructions to add certain amendments.

No. 100. A bill to authorize additional election precincts ;

Was read a second time and referred to a select committee of Messrs. Lowe, Hamilton, and Line.

No. 101. A bill to amend an act entitled "An act to change the time of holding courts in the seventh judicial circuit, and for other purposes ;"

Was read a second time, and,

On motion by Mr. Kinney,

Laid on the table.

No. 102. A Bill to incorporate the Liberty and Brownsville Turnpike Company ;

Was read a second time, and,

On motion by Mr. Cookerly,
Referred to the committee on corporations.

No. 104. A bill authorizing administrators to administer oaths in certain cases ;

Was read a second time, and

On motion by Mr. McDonald of Lake,
Referred to the judiciary committee.

No. 105. A bill to change the name of Ellen Narcissa Brown, to Ellen Maria Graham, and for other purposes ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

No. 107. A bill in relation to the taking the list of children in the county of Posey for school purposes ;

Was read a second time, and

On motion by Mr. Gooding,
Referred to the committee on education.

No. 108. A bill providing for the survey and record of roads :

Was read a second time, and

On motion by Mr. Neal,
Referred to the committee on roads.

On leave granted therefor, Mr. Short made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill No. 70 "authorizing the Madison and Indianapolis railroad company to take stock in other companies, and for other purposes," have had the same under consideration and have directed me to report it back to the House without amendment, and recommend its reference to the committee on ways and means.

Which was concurred in, and said bill was referred accordingly.

On leave granted, Mr. Wolfe offered the following resolution : "In order to expedite business in this branch of the General Assembly, and thereby shorten this session."

Be it further Resolved, That we will not suspend the rules unless it should be in cases of great emergency, but that we will progress with all business in its regular order.

Which,

On motion by Mr. Gooding,
Was laid on the table.

On leave, Mr. Carr offered the following resolution :

Resolved, That this House invite the Senate to come instantan in-

to the Hall of Representatives to proceed into the election of canal trustee.

Mr. Gooding moved to lay the resolution on the table.

Which did not prevail.

Said resolution was then adopted.

No. 109. A joint resolution and vote of thanks to our brave volunteers;

Was read a second time, and

On motion by Mr. Lane,

Referred to the committee on military affairs.

On motion by Mr. Williams,

The House took from the table,

No. 63. A bill extending the term of the probate court of Madison county ;

Which was read a second time and ordered to be engrossed.

No. 114. A bill to authorize the inspection of hay in the several counties of this State;

Was read a second time and referred to the committee on agriculture.

No. 119. A bill to incorporate the Taylor cotton mills ;

Was read a second time and referred to the committee on corporations.

No. 120. A bill to incorporate the Perry cotton mills ;

No. 121. A bill to incorporate the Cannelton glass company ;

No. 122. A bill to incorporate the Cannelton paper mill ;

No. 123. A bill to incorporate the Ward cotton mill ;

No. 124. A bill to incorporate the Indiana cotton mills ;

No. 125. A bill to incorporate the Cannelton cotton mill ;

No. 126. A bill to incorporate the Cannelton Foundry ;

Were severally read a second time and referred to the committee on corporations.

On leave granted, Mr. Sackett introduced

No. 150. A bill to incorporate the Clay cotton mills ;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on corporations.

On leave granted, Mr. Jones of Switzerland introduced

No. 151. A bill changing the time of holding the probate court in the counties of Jefferson, Switzerland, and Ohio ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

No. 128. A bill granting to the citizens of the town of Aurora in the county of Dearborn, a city charter :

Was read a second time and referred to the committee on corporations.

Mr. Harlan moved to reconsider a vote on referring a petition relative to electing assessors in each township of the county of

Allen, which was done accordingly, and the same was then referred to a select committee of Messrs. Cookerly, Orr, Dobson, Lockwood, and Gooding.

The Senate then came into the Hall, and the two Houses proceeded, in joint convention, to a twenty-third balloting for canal trustee for the Wabash and Erie Canal; which resulted as follows :

| | | | | | | | |
|--------------------------|---|---|---|---|---|---|-----------|
| Austin M. Puett received | - | - | - | - | - | - | 70 votes. |
| Samuel Hanna received | - | - | - | - | - | - | 1 vote. |
| John Pitcher received | - | - | - | - | - | - | 64 votes. |
| Blank | - | - | - | - | - | - | 6 " |
| Chandler received | - | - | - | - | - | - | 5 " |
| Test received | - | - | - | - | - | - | 1 vote. |
| McCampbell received | - | - | - | - | - | - | 1 " |

No person having received a majority of all the votes cast, the convention proceeded to a twenty-fourth balloting, which resulted as follows :

| | | | | | | | |
|-----------------------------|---|---|---|---|---|---|-----------|
| John Pitcher received | - | - | - | - | - | - | 63 votes. |
| Austin M. Puett received | - | - | - | - | - | - | 64 " |
| Samuel Hanna received | - | - | - | - | - | - | 1 vote. |
| Robert A. Chondler received | - | - | - | - | - | - | 9 votes. |
| James McCampbell received | - | - | - | - | - | - | 2 " |
| Mr. Test received | - | - | - | - | - | - | 1 vote. |
| Mr. Carnan received | - | - | - | - | - | - | 1 " |
| Blank | - | - | - | - | - | - | 7 votes. |

No person having received a majority of the votes given, the convention proceeded to the 25th balloting, which resulted as follows :

| | | | | | | | |
|---------------------------|---|---|---|---|---|---|-----------|
| John Pitcher received | - | - | - | - | - | - | 64 votes. |
| Austin M. Puett received | - | - | - | - | - | - | 75 " |
| Samuel Hanna received | - | - | - | - | - | - | 2 " |
| James McCampbell received | - | - | - | - | - | - | 1 vote. |
| Mr. Test received | - | - | - | - | - | - | 1 " |
| Mr. Carnan received | - | - | - | - | - | - | 1 " |
| Blank | - | - | - | - | - | - | 3 votes. |
| Jones received | - | - | - | - | - | - | 1 vote. |
| Stanfield received | - | - | - | - | - | - | 1 " |

Austin M. Puett having received a majority of all the votes given, was declared duly elected Trustee on the part of the State, for the Wabash and Erie Canal, to serve as such for three years-

The convention was then adjourned *sine die*, and the Senate returned to their chamber.

The House then, on motion adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

The Speaker laid before the House the report of Stearns Fisher, General Superintendent of the Wabash and Erie Canal; which,

On motion by Mr. Cole,

Was laid on the table and 200 copies ordered to be printed for the use of the House.

BILLS ON SECOND READING.

No. 132. A bill for the relief of Mary Goodrich.

No. 133. A bill to extend the jurisdiction of the justices of the peace in the counties of Fulton and Marshal;

No. 134. A bill to authorize the auditor and school commissioner of Miami county to make a deed to Joseph Brower;

No. 135. A bill to vacate certain streets and alleys therein named;

No. 139. A bill to amend an act entitled "an act to repeal an an act more effectually to enable supervisors to open and keep in repair public highways;

No. 141. A bill in relation to the tax duplicate of the county of Jefferson for the year 1847;

No. 142. A bill to incorporate the Centreville and Abington Turnpike Company,

Which were read a second time, and ordered to be engrossed for a third reading;

No. 136. A bill for the relief of S. & J. Bottorf;

Was read a second time, and

On motion by Mr. Sullivan,

Was referred to the committee on claims, with the accompanying certificate;

No. 138. A bill to amend the 22d section of the 10th chapter of the Revised Statutes, in reference to the duties of county surveyors, and their deputies,

Was read a second time, and

On motion of Mr. Wolf,

Was amended by adding, "That county surveyors be, and they are hereby, authorized to take acknowledgments to deeds, mortgages, &c.

SEC.— *And be it further enacted*, That the latter clause of the 16th section, of chapter 10, page 203, of the Revised Statutes of 1843 be, and the same is hereby, repealed;" and

On motion by Mr. McDonald, of Lake,

The bill and amendments were referred to the judiciary committee.

No. 140. A bill to amend the 154th section, article 10th, of 12th chapter of the Revised States of 1843,

Was read a second time, and

On motion by Mr. Harvey,

Was referred to the committee on ways and means.

No. 153. A bill defining the time for presenting complaints to the grand juries of this State,

Was read a second time,

When Mr. Gooding moved to indefinitely postpone the bill ;

Which motion did not prevail.

Said bill was then,

On motion by Mr. Orton,

Referred to the judiciary committee.

No. 146. A bill to incorporate the Indiana Canal Company,

Was read a second time ; and

On motion by Mr. Lane,

Was laid on the table.

No. 147. A bill to incorporate the Madison, Lexington, and Brownstown Turnpike Company,

Was read a second time and referred to the committee on corporations.

On leave granted, Mr. Line offered the following resolution :

Resolved, That the House will, the Senate concurring therein proceed to elect a commissioner for the New Albany and Vincennes Turnpike road on this day, 18th January, at 2½ o'clock P. M.

Which was adopted.

The following message was received from the Senate by Mr. Osborn, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has concurred in the resolution of the House to proceed to the election of a commissioner for the New Albany and Vincennes Turnpike road on this day (18th January, 1848) at 2½ o'clock P. M.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the House No. 144, entitled "An act fixing the times of holding circuit courts in the third judicial circuit," without amendment.

On leave granted, Mr. Hamilton offered the following resolution :

Resolved, That the Senate be invited to attend *instanter* in the hall of the House of Representatives, for the purpose of electing a superintendent of the New Albany and Vincennes Turnpike road, and that seats be provided on the right of the Speaker's chair.

Which was adopted.

No. 148. A bill to authorize Findley B. Johnson to construct and keep up a mill dam in Owen county ;

Was read a^d second time.

Pending which the Senate came in and proceeded to ballot for a superintendent of the New Albany and Vincennes Turnpike road.

The following is the result of the first balloting :

| | | | | | | | | |
|-------------------------|---|---|---|---|---|---|---|-----------|
| Michael Riley received | - | - | - | - | - | - | - | 68 votes. |
| John Frazier received | - | - | - | - | - | - | - | 48 " |
| John W. Waller received | - | - | - | - | - | - | - | 29 " |
| —— Hopkins received | - | - | - | - | - | - | - | 1 vote. |
| Blank - | - | - | - | - | - | - | - | 2 votes. |

No person having received a majority of all the votes cast, the convention proceeded to a second balloting, which resulted as follows :

| | | | | | | | | |
|-------------------------|---|---|---|---|---|---|---|-----------|
| Michael Riley received | - | - | - | - | - | - | - | 77 votes. |
| John Frazier received | - | - | - | - | - | - | - | 46 " |
| John W. Waller received | - | - | - | - | - | - | - | 20 " |
| Blank - | - | - | - | - | - | - | - | 5 " |

Michael Riley having received a majority of all the votes given was declared duly elected to serve for two years from and after the expiration of the term of the present incumbent.

The convention was then adjourned *sine die*, and the Senate retired ; when,

On motion,

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, JANUARY 19, 1848.

The House met.

No. 148. An act to authorize Finley B. Johnson to contract and keep up a mill dam in Owen county,

Was read a second time and ordered to be engrossed for a third reading.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to wit:

No. 105. An act to authorize the commissioners of the county of Cass to employ a physician for the paupers of said county.

No. 106. An act to change the name of the county seat of Martin county.

No. 107. An act to authorize the sale of school section No. 16, in township No. 25 north, range 2 west.

No. 108. An act in relation to the town of Carrolton in Carrol county.

No. 109. An act entitled "An act to provide for the continuance of all or any part of the public works of this State by private companies and for abolishing the board of internal improvement and the offices of fund commissioners and chief engineer," approved January 28th, 1842, so far as the same is applicable to the Shelbyville and Edinburgh Railroad.

In which the concurrence of the House is respectfully requested.

The bills in said message mentioned, were each severally read a first time, and ordered to a second reading.

The following message from the Senate was received, by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill thereof, entitled,

No. 114. An act to amend an act entitled an act to incorporate the White Water Valley Canal Company, approved January 20, 1842 ;

In which the concurrence of the House is respectfully requested.

Said bill was read a first time and ordered to a second reading.

The following message from the Senate was received, by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit:

No. 8. An act to amend the charter of the Madison and Napoleon Turnpike Company ;

No. 50. An act in relation to the county seminary fund of Tippecanoe county ;

No. 51. An act to incorporate the Madison Female Collège ;

No. 54. An act to repeal the second section of an act to vacate certain alleys in the town of Bloomington ;

No. 59. An act to protect the trust funds of the State ;

No. 73. An act for the relief of Davis Porter ;

In all of which the concurrence of the House is respectfully requested.

The bills in said message mentioned were each severally read a first time, and ordered to a second reading.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by his Excellency the Governor, to inform the House of Representatives, that he did on yesterday approve and sign bill No. 137, an act to postpone the time for returning lands and town lots delinquent in the county of Grant for the non-payment of taxes, which originated in the House of Representatives.

January 19th, 1848.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by his Excellency the Governor, to inform the House of Representatives, that he did on this day approve and sign bill No. 144, entitled "an act fixing the times of holding circuit courts in the third judicial circuit," which originated on the House of Representatives.

January 19th, 1848.

Mr. Nimmons from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bill of the House, and find the same correctly enrolled, viz :

No. 144. An act fixing the times of holding circuit courts in the third judicial circuit ;

Whereupon the Speaker of the House signed the same.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harlan from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bill of the House and find the same correctly enrolled :

No. 137. An act to postpone the time for returning lands and town lots delinquent for the non-payment of taxes in the county of Grant.

Whereupon the Speaker signed the same.

Ordered, That the Clerk inform the Senate thereof.

PETITIONS WERE PRESENTED.

By Mr. Bryant,

The petition of Syria Aldrich praying a compensation for building a bridge across Big Pine creek at the town of Rainsville ;

Which was referred to the committee on claims.

By Mr. Lane,

The petition of Christain Stoelling for a charter incorporating the German Evangelical, Lutheran, St. John's Church, in Evanscreek township, Dearborn county ;

Which was referred to the committee on corporations.

By Mr. Meredith,

The petition of citizens of Wayne county to amend an act to authorize the people of its several townships to prohibit the retailing of spirituous liquors ;

Which was referred to a select committee of Messrs. Meredith, Trimble, and Robinson.

By Mr. Ford,

The petition of sundry citizens of Jackson county, praying a change in the road leading from Brownstown to Rockford, in said county ;

Which was referred to a select committee of Messrs. Ford, Jones of B., and Morrison.

By Mr. McDonald of A.,

The petition of Milton Davis, and 64 others of Huntington and Wells counties, for a change in a certain State road therein named ;

Which was referred to a select committee of Messrs. McDonald of A., Swihart and Keiser.

By Mr. Jones of B.,

The petition of citizens of Bartholomew county, for a certain state road therein named ;

Which was referred to a select committee of Messrs. Jones of B., Short and Ford.

By Mr. Ford,

The petition of sundry citizens of Jackson county, for a change in a portion of a state road from Madison to Bloomington ;

Which was referred to a select committee of Messrs. Ford, Lowe, and Chambers.

By Mr. Williams of M.,

The petition of citizens of Hamilton and Madison counties for a State road therein named ;

Which was referred to a select committee of Messrs. Williams of M., Gooding, and Colip.

By Mr. Winstandley,

The petition of certain citizens of Floyd county for a repeal of the law leaving the decision of the license question to the voters at the spring elections ;

Which was referred to a select committee of Messrs. Winstandley, May, and Carr.

Also, by the same, a remonstrance against the prayer of the petition ;

Which was referred to the same select committee.

By Mr. Orton,

The petition of certain citizens of Laporte county relative to the license laws ;

Which was referred to the above committee, with the addition of Mr. Orton.

By Mr. Ford,

A petition from citizens of Jackson, Lawrence, and Bartholomew counties for the location of a State road from Columbus to Bedford ;

Which was referred to a select committee of Messrs. Jones of B., Short, and Ford.

By Mr. Winstandley,

The petition of sundry citizens of Floyd county for a law for the preservation of sheep ;

Which was referred to the committee on agriculture.

By Mr. Kennard,

The petition of sundry citizens of Clinton and Howard counties for the continuation of a State road therein named ;

Which was referred to a select committee of Messrs. Kennard, Richmond, and Swihart.

By Mr. Slater,

The petition and also a remonstrance from sundry citizens of Dearborn county relative to the repeal of the law making the county of Ohio ;

Which were referred to the select committee heretofore appointed on the same subject.

Mr. Slater moved to add Mr. Richmond to the committee.

Which motion prevailed.

Mr. Dunham then moved to withdraw the petition and remonstrance from the committee.

Which motion prevailed, when,

On motion by Mr. Dunham,
They were laid on the table.

By Mr. McDonald of A.,

The petition of Joseph Davis and 35 others, of Allen and Wells counties, for a certain State road in said counties ;

Which was referred to a select committee of Messrs. McDonald, Keiser, and Swihart.

By Mr. Dimmett,

The petition of Andrew P. Lee of Montgomery county for a divorce ;

Which was laid on the table.

By Mr. McDonald of L.,

The petition of citizens of congressional township, No. 32 north, range 10 west, relative to a sale of their school lands ;

Which was referred to a select committee of Messrs. McDonald of L., Hunt, and Tinbrook.

By Mr. Dobson,

The petition of L. Beam and S. Scott for relief ;

Which was referred to a select committee of Messrs. Dobson, Lowe, McKinzie, Roache, McCormick, Williams of K., and Lockwood.

By Mr. Dimmett,

The petition of citizens of Montgomery, Tippecanoe, and Fountain counties in relation to the pursuit and apprehension of rogues ;

Which was referred to a select committee of Messrs. Dimmett, Doyle, and Hetfield.

By Mr. Widney,

The petition of citizens of De Kalb county for an alteration in the road law ;

Which was referred to a select committee of Messrs. Widney, Keiser, and Shryock.

By Mr. Dobson,

The petition of sundry citizens of Clay and Owen counties for a State road therein named ;

Which was referred to a select committee of Messrs. Dobson, Bowling, and Lockwood.

By Mr. Dougherty,

The petition of Hiram Matthews for a change in the road laws ;

Which was referred to the committee on roads.

By Mr. Neal,

The petition of citizens of Boone county in reference to the Covington and Strawtown road ;

Which was referred to a select committee of Messrs. Neal, Hetfield, and Armstrong.

By Mr. Dougherty,

The petition of Daniel Thornberrys to legalize the assignment of a certificate for certain school lands therein named ;

Which was referred to a select committee of Messrs. Dougherty, McKinzie, and Lowe.

By Mr. Frazier,

The petition of citizens of Wayne and Randolph counties for a State road;

Which was referred to the committee on roads.

By Mr. Terry,

The memorial of Henry O'Reilly in relation to the telegraph;

Which was referred to a select committee of Messrs. Terry, Blythe, Orton, Winstandley, and Williams of Knox.

By Mr. Keiser,

The petition of Oliver Stevenson praying for a divorce, which, Mr. Keiser moved to refer to a select committee, when,

On motion of Mr. Wolfe,
Said petition was laid on the table.

By Mr. Ford,

The petition of sundry German residents of Jackson county for a portion of the school fund;

Which was referred to the committee on education.

By Mr. Campbell,

The petition of sundry citizens of Franklin for an amendment of the Brookville and Harrison turnpike charter;

Also a petition of sundry citizens of Dearborn and Franklin counties on the same subject;

Which were referred to a select committee of Messrs. Line, Slater, and Hamilton.

By Mr. Commons,

The petition of citizens of Wayne county in reference to the seminary in Wayne county;

Which was referred to a select committee of Messrs. Commons, Huddleston, and Little.

By Mr. Blythe.

The petition of Edward Hopkins and others for the vacation of certain enlargements in the city of Evansville;

Which was referred to a select committee of Messrs. Blythe, De-Bruler, and Fuller.

By Mr. Harlan.

The petition of James Sweetson and 31 others of the town of Marion in Grant county, for the passage of a law levying a tax on the citizens of said town, to improve the streets, alleys, and side walks of said town.

Which was referred to a select committee of Messrs. Harlan, McDonald of Adams, and Campbell.

By Mr. Kennard.

The remonstrance of the citizens of Clinton county against legislating on the subject of the Frankford and Lebanon state road;

Which was referred to the same committee to which a petition on that subject was referred.

By Mr. Cole.

The petition of citizens of Miami county to compel keepers of stallions to procure a license.

Which was referred to a select committee, of Messrs. Cole, Neff, and Criswell.

By Mr. Baldwin,

The petition of sundry citizens of Henry county for the taxation of dogs, or to decrease the number of dogs;

Which was referred to the committee on agriculture.

By Mr. Major,

The petition of sundry citizens of Shelby county for the retention of a school district therein named;

Which was referred to a select committee of Messrs. Major, Slater, and Hankins.

By Mr. Harlan,

The petition of Thomas E. Carroll and others, for the re-location of the Richmond and Logansport state road, in Delaware county;

Also the petition of Eli Overman and others on the same subject;

Which were referred to a select committee of Messrs. Harlan, Coffin, Richmond, Orr, and Meredith.

By Mr. Orr,

The remonstrance of sundry citizens of Delaware county against a petition "for the re-establishment of that part of the state road leading from Muncie to Jonesborough &c."

Which was referred to a select committee of Messrs. Harlan, Coffin, Richmond, Orr, and Meredith.

By Mr. Neal,

The petition of sundry citizens of Eagle village for the incorporation of said town;

Which was referred to the committee on corporations.

By Mr. Bryant,

The petition of James H. Buell and sundry citizens of Warren county for a horse ferry at Williamsport;

Which was referred to a select committee of Messrs. Bryant, Dole, and Cole.

Mr. Bryant made the following report :

MR. SPEAKER :

The committee of ways and means to whom was referred the accompanying bill of the House No. 79, entitled a bill to repeal an act defining the duties of county treasurers in certain cases, approved January 13th 1845, have had the same under consideration and have directed me to return the same to the House, with a recommendation that it be indefinitely postponed;

Which was concurred in, and said bill was indefinitely postponed.
Mr. Dunham made the following report :

MR. SPEAKER:

The committee of ways and means to which was referred "an act explaining an act entitled an act defining the duties of county treasurers in certain cases, approved January 13, 1845, have had the same under consideration, and have instructed me to report the same back with the accompanying amendment, and to recommend its passage:

"Strike out all of the first section after the word only, at the end of the third line, and insert the following: "to the fees of county treasurers for collection."

Said amendment was adopted, and the bill was ordered to be engrossed.

Mr. Lane made the following report:

MR. SPEAKER:

The committee on ways and means to whom was referred bill of the House, for the relief of the tax payers of certain counties therein named, have had the same under consideration and have authorized me to report the same back to the House with two amendments, and recommend its passage.

Amend the first section, after the word "payment," in the second line, insert "*of county treasurers to the state treasury.*"

Amend the 9th section, by striking out all of said section, after the word "passage" in the second line and insert, "*and its publication in the Indiana State Journal.*"

Mr. Stanton dissents from the above report.

The report was concurred in by the House, and the amendments adopted.

And pending the consideration of the bill,

On motion by Mr. DeBruler,

The House adjourned till 2 o'clock P. M.

The House met.

On leave granted, Mr. Dobson offered the following resolution:

Resolved, That the Committee on Judiciary to whom was referred the bill in relation to giving surveyors power to take acknowledgments of deeds, be instructed to inquire into the expediency of giving surveyors power to swear witnesses for the purpose of establishing corners, in cases where surveyors differ; also to swear flag staff or sight pole bearers;

Which was adopted.

On leave granted, Mr. Kinney offered the following resolution:

Resolved, That the committee on education be authorized to employ a clerk for a time not exceeding five days;

Which was adopted.

On leave granted, Mr. Jones of S. offered the following resolution:

Resolved, That the Warden of the Indiana State prison be requested to report to this House, whether the guard house connected with said prison is at this time occupied by any one as a family residence, and if so, by whom, and by what authority;

Which was adopted.

On motion by Mr. Lane,

The House proceeded to the consideration of House bill No. 145, which was pending at the last adjournment.

And the question being, "Shall the bill be engrossed for a third reading on to-morrow?"

And the ayes and noes being demanded by Messrs. Short and Keiser,

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blythe, Bryant, Carr, Chambers Coble, Cole, Commons, Covington, De Bruler, Dobson, Dougherty, Ford, Fuller, Gordon, Graham, Hankins, Harlan, Harvey, Hetfield, Hull, Hunt, Jones of S., Keiser, Kinney, Lane, Lichteberger, Line, Little, Major, McCormack, McDonald of A., McDonald of L., Meredith, Miller, Mills, Morrison, Orr, Orton, Prather, Sackett, Shryock, Slater, Sullivan, Terry, Thompson of G., Tinbrook, Trimble, Widney, Williams of K., Winstandley, Wolf, and Mr. Speaker—55.

Those who voted in the negative are,

Messrs. Bowling, Coffin, Colip, Criswell, Dimmett, Doyle, Frazier, Gooding, Goodman, Hall, Hamilton, Holden, Kennard, Lockwood, May, Neal, Neff, Nimmons, Norris, Robinson, Short, Smiley, Stanton, Swihart, Thompson of C. and Williams of M.—26.

So said bill was ordered to be engrossed for a third reading.

The following message was received from the Senate by Mr. Orth, a Senator:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to wit:

Resolved, That the Senate will, the House concurring, proceed this afternoon at 3 o'clock P.M. to the election of Judge of the Tippecanoe court of common pleas;

In which the concurrence of the House is respectfully requested.

On motion,

The House reciprocated the resolution of the Senate.

Ordered, That the clerk inform the Senate thereof.

On leave granted, Mr. Sullivan offered the following resolution:

Resolved, That the report of the Warden of the State Prison be taken from the table and referred to the committee on the State Prison;

Which was adopted.

On motion by Mr. Smiley,

Resolved, That the Senate be invited to attend *instantly* in the Hall of the House of Representatives, for the purpose of going into an election for Judge of the Tippecanoe court of common pleas and that seats be provided on the right of the Speaker's chair.

Mr. Orr, leave being granted, introduced

No. 152. A bill amendatory to an act entitled "An act giving further time for the settlement of the revenue of Delaware county ;

Which was read a first time and ordered to a second reading.

Mr. Cookerly, on leave, offered the following resolution :

Resolved, That the House will go into committee of the whole on the Governor's message on to-morrow at half past nine o'clock, A. M.

Which was adopted.

The Senate then came into the hall, and the two Houses in joint convention proceeded to ballot for a judge of the Tippecanoe court of common pleas, Messrs. Orton and Chambers acting as tellers on the part of the House.

The following is the result of the first ballot :

| | | | | | | | |
|---------------------------|---|---|---|---|---|---|-----------|
| Addison M. Crane received | - | - | - | - | - | - | 88 votes. |
| Scattering | - | - | - | - | - | - | 48 " |

Addison M. Crane having received a majority of all the votes given, was declared duly elected judge of the Tippecanoe court of

common pleas, to serve as such for the term of seven years from and after the present time.

The convention was then adjourned, and the Senate retired to their chamber.

On motion by Mr. Harvey,

The House reconsidered the vote on the adoption of the resolution requiring the orders of the day to be taken up at 2 o'clock, P. M., and said resolution was laid on the table.

On motion by Mr. Dobson,

The select committee to which was referred the petition of Albert Galletly were granted leave to sit during the session of the House this afternoon.

On motion by Mr. Meredith,

The rules were suspended, and the House took up Senate bill No. 114. A bill to amend an act entitled "An act incorporating the White Water Valley canal company," approved January 20, 1842; Which was read a second time, when

Mr. Cookerly moved to refer the bill to the committee on corporations ;

Which motion did not prevail.

Mr. Cookerly moved that the House adjourn;

Which did not prevail.

Mr. Dunham moved to amend as follows :

After the words "any amount," insert "not less than \$25."

Mr. Gooding moved to amend the amendment by striking out "\$25" and inserting "\$20."

Mr. Lane then moved the previous question ; and the question being on seconding the motion,

And the ayes and noes having been demanded by Messrs. Dunham and Neal,

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blythe, Bowling, Brown, Bryant, Campbell, Chambers, Boble, Coffin, Cole, Colip, Commons, Covington, Davis, De Bruler, Dimmett, Dole, Dougherty, Doyle, Frazier, Gordon, Graham, Hamilton, Hankins, Harvey, Hetfield, Huddleston, Hull, Hunt, Kinney, Lane, Lichteberger, Line, Little, McConnell, Meredith, Miller, Morrison, Neff, Orr, Orton, Prather, Richmond, Robinson, Sackett, Shryock, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Trimble, Williams of K., and Mr. Speaker—58.

Those who voted in the negative are,

Messrs. Cookerly, Dobson, Dunham, Ford, Gooding, Goodman, Hall, Holden, Jones of B., Jones of S., Keiser, Kennard, Major, McDonald of L., Mills, Neal, Nimmons, Norris, Short, Tinbrook, Williams of M., and Wolf—22.

So said motion was seconded by the House.

Mr. Dunham moved that the House adjourn;

Which motion the Speaker decided to be out of order.

Messrs. Dunham and Cookerly appealed from the decision of the chair.

And the question being, "Shall the decision of the chair be the decision of the House?"

And the ayes and noes being demanded by Messrs. Cookerly and Dunham :

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Bowling, Brown, Bryant, Campbell, Coble, Coffin, Cole, Colip, Commons, Covington, Criswell, Davis, De Bruler, Dimmett, Dole, Dougherty, Doyle, Ford, Frazier, Gooding, Gordon, Graham, Hankins, Harvey, Holden, Huddleston, Hull, Hunt, Jones of S., Kinney, Lane, Lichteberger, Line, Little, Lockwood, Lowe, May, McDonald of L., Meredith, Miller, Mills, Morrison, Neff, Nimmons, Norris, Orr, Orton, Prather, Richmond, Robinson, Sackett, Short, Smiley, Stanton, Stone, Sullivan, Terry, Thompson of C., Thompson of G., Trimble, Williams of M., and Wolf—64.

Those who voted in the negative are,

Messrs. Cookerly, Dobson, Dunham, Keiser, Kennard, Neal, Tinbrook, and Winstandley—8.

So the decision of the chair was sustained by the House.

The question then being, "Shall the main question be now put?"

It was decided in the affirmative.

The question being, "Shall the bill be ordered to a third reading on to morrow?"

And the ayes and noes being demanded by Messrs. Dunham and Neal :

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Campbell, Chambers, Coble, Coffin, Cole, Colip, Commons, Covington, Criswell, Davis, De Bruler, Dimmett, Dole, Dougherty, Doyle, Ford, Frazier, Gooding, Gordon, Graham, Hankins, Harvey, Hetfield, Huddleston, Hull, Hunt, Kinney, Lane, Lichteberger, Line, Little, Lockwood, McConnell, McCormick, Meredith, Miller, Morrison, Neff, Norris, Orr, Orton, Prather, Richmond, Robinson, Sackett, Smiley, Stanton, Stone, Sullivan, Terry, Thompson of C., Thompson of G., Trimble, Widney, Williams of K., Williams of M., Winstandley, Wolf, and Mr. Speaker—63.

Those who voted in the negative are,

MEASRS. Dobson, Holden, Jones of B., Kennard, May, McDonald of L., Mills, Neal, Nimmons, Tinbrook—10.

So said bill was ordered to a third reading on to-morrow.

On motion by Mr. Prather,

The House adjourned till to-morrow morning at 9 o'clock A. M.

THURSDAY MORNING JANUARY 20, 1848.

The House met.

On motion by Mr. Dunham,

The House went into committee of the whole on the Governor's message,

With Mr. Harvey in the chair.

After some time spent therein the committee rose and Mr. Harvey, the chairman, reported as follows :

MR. SPEAKER :

The committee of the whole House, to whom was referred the Governor's message, have had the same under consideration, and have directed me to report to the House that they have adopted the accompanying resolutions and respectfully request the concurrence of the House in the same, and ask to be discharged from the further consideration of the subject :

Resolved, That so much of the Governor's message as refers to the subject of education be referred to the standing committee on that subject.

Resolved, That so much of the Governor's annual message as relates to commerce and the tariff be referred to a select committee of five.

Resolved, That so much of the Governor's message as refers to the Deaf and Dumb and Blind Asylums be referred to the committee on benevolent and scientific institutions.

Resolved, That so much of the Governor's message as relates to the assessment of corporate stocks and personal property be referred to the committee of ways and means.

Resolved, That so much of the Governor's message as relates to the subject of the Mexican war, be referred to a committee of five.

Resolved, That so much of the Governor's message as relates to the Adjutant General of the State, be referred to the committee on military affairs.

Resolved, That so much of the Governor's message as relates to giving Justices of the Peace exclusive jurisdiction in divers trivial offences, be referred to a select committee of five.

Resolved, That so much of the Governor's message as relates to the independent treasury, be referred to a select committee of five.

Resolved, That so much of the Governor's message as relates to the revenue of the State be referred to the committee on ways and means.

Resolved, That that part of the Governor's message which relates to the importance of less local legislation, be referred to the judiciary committee.

Resolved, That so much of the Governor's message as relates to the election of electors for President and Vice President be referred to the committee on elections.

Resolved, That so much of the Governor's message as relates to benevolent institutions be referred to the committee on benevolent and scientific institutions.

Resolved, That so much of the Governor's message as relates to the affairs of the State Prison be referred to the committee on the State Prison.

Resolved, That so much of the Governor's message as relates to houses of refuge be referred to the committee on benevolent and scientific institutions.

Resolved, That so much of the Governor's message as relates to the prosperity of the country be referred to a select committee of five.

Resolved, That so much of the Governor's message as relates to the subject of requisitions upon the executives of other States and territories for fugitives from justice, be referred to the committee on ways and means.

Resolved, That so much of the Governor's message as relates to the Quartermaster General of the State, be referred to the committee on military affairs.

Resolved, That so much of the Governor's message as relates to the State hereafter incurring any debt by engaging in a system of internal improvements, be referred to a select committee of five.

Resolved, That so much of the Governor's message as relates to the financial affairs of the State, be referred to the committee of ways and means.

Resolved, That so much of the Governor's message as relates to the revision of the school laws, be referred to the committee on education.

Resolved, That so much of the Governor's message as relates to voluntary associations and private legislation, be referred to a select committee of five.

Resolved, That so much of the Governor's message as relates to the State debt and the arrangements made for settling the same, be referred to the committee on canals and internal improvements.

Which report was concurred in, and the several resolutions reported by the committee were adopted by the House.

The following are the select committees appointed by the Speaker on the preceding resolutions :

On No. 2—Messrs. Harlan, Blythe, Rulon, Dougherty, and Stanton ;

On No. 5—Messrs. Durham, Bryant, Harvey, Short, and Hall ;

On No. 7—Messrs. Meredith, Cole, Little, Frazier, and Line ;

On No. 8—Messrs. Terry, Lane, De Bruler, Roach, and Cookerly ;

On No. 16—Messrs. Prather, Sullivan, McKinzie, Dole, and Lowe ;

On No. 18—Messrs. McDonald, Kinney, Wolf, Gooding, and Carr ;

On No. 21—Messrs. Hunt, May, Chambers, Robinson, and Shryock.

Mr. Lane made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred a petition and remonstrance from sundry citizens of Posey county, in this State, on the subject of releasing the securities of Ebenezer Phillips, late school commissioner of said county of Posey, have had the same under consideration, and instruct me to report that it is inexpedient to legislate upon the same, in which the concurrence of the House is respectfully requested :

Which was concurred in.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of James Gasaway and others, have had the same under consideration and have instructed me to report the accompanying bill and to recommend its passage :

No. 152. A bill for the relief of John Horner ;

Was read a first time and ordered to a second reading.
Mr. Terry made the following report ;

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 80, "a bill for the relief of securities," have had the same under consideration, and have instructed me to report the same and to recommend its indefinite postponement ;

Which was concurred in, and said bill was indefinitely postponed.
Mr. Terry also made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred "a bill to create the office of Attorney General, &c.," have had the same under consideration and have instructed me to report the same and recommend its passage.

No. 39, the bill in said report mentioned, was ordered to be engrossed for a third reading.

Mr. Terry also made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred "a bill to regulate agencies of foreign insurance companies," have had the same under consideration, and have instructed me to report the same and to recommend its passage.

Bill No. 81, in said report mentioned, was ordered to be engrossed for a third reading.

Mr. Terry also made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred "a bill regulating the action of ejectment," have had the same under consideration, and have instructed me to report the same and recommend its passage.

Bill No. 84, in said report mentioned, was ordered to be engrossed for a third reading.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 32, "to amend the statute regulating divorces," have had the

same under consideration, and have instructed me to report the same and to recommend its indefinite postponement.

Said bill No. 32 was indefinitely postponed, and the report of the committee concurred in.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the resolution instructing said committee to inquire into the expediency of "authorizing associate judges to hold probate courts in certain cases," have had the same under consideration, and have instructed me to report that it is inexpedient to legislate thereon.

Which report,

On motion by Mr. Dougherty,
Was laid on the table.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred No. 21 "a bill to authorize the Dearborn probate court to make certain orders and decrees therein named," have had the same under consideration, and have directed me to report the same back with the accompanying amendments, and recommend their passage.

The following are the amendments reported by the committee :

Amend the first section by adding the following proviso :

Provided, That before any sale shall be made under the authority of this act, the said Thomas B. Pinckard shall cause an inventory and appraisement of the lands so to be sold, to be made and filed in the office of the clerk of the probate court of Dearborn county ; which inventory and appraisement shall, in all things, be governed by the law now in force regulating the sale of lands for the payment of the debts of any deceased person, by executors and administrators.

Amend the second section by adding the following proviso :

Provided, That no sale of said property, or any part thereof, shall be made at private sale for less than the appraised value thereof.

Amend the third section by striking out the word "estimated" in the eleventh line, and inserting the word appraised.

Which were adopted.

Said bill was then ordered to be engrossed for a third reading.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of sundry citizens of Dearborn county, praying the re-locating of a certain State road therein named, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 154. A bill to re-locate part of the State road from Harrison to Indianapolis,

Was read a first time and ordered to a second reading.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of sundry citizens of Madison county, asking the Legislaturc to vacate a certain State road therein named, have had the same under consideration, and have directed me to report the following bill and recommend its passage.

No. 135. A bill vacating a certain State road therein named,

Was read a first time and ordered to a second reading.

Mr. Miller also made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of sundry citizens of Jefferson county, asking the repeal of a certain act, and to revive a former act, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 156. A bill to repeal an act providing for the election of supervisors of highways in the counties of Decatur, Jefferson and Spencer, approved December 26, 1844,

Was read a first time and ordered to a second reading.

Mr. Thompson, of Carroll, made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of John Patterson and others, of the county of Posey, have had the same under consideration, and directed me to report the following bill and recommend its passage, and the committee ask to be discharged from further consideration of the subject :

No. 157. A bill to locate a State road in the county of Posey.

Was read a first time and ordered to a second reading.

Mr. Thompson, of Carroll, also made the following report :

MR. SPEAKER ;

The committee on roads, to whom was referred the petition of John B. Wilson, and others, of the counties of White and Carroll, have had the same under consideration, and direct me to report the following bill and recommend its passage, and the committee ask to be discharged from further consideration of the subject :

No. 158. A bill to locate a State road in the counties of White and Carroll ;

Was read a first time and ordered to a second reading.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred the petition of sundry citizens of Noble county, praying the location of a part of the State road leading from the town of Augusta to Northport, in said county. Also, the remonstrance of many citizens of said county of Noble, against the vacation of any part of said State road, have had the same under consideration, and have directed me to report that the committee think it inexpedient to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Harvey made the following report ;

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House No. 86, entitled "a bill to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same," have had the same under consideration, and directed me to report the same back to the House without amendment and recommend its passage ; and said committee ask to be discharged from the further consideration of the subject.

Said bill was ordered to be engrossed for a third reading.

Mr. May made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 124, "a bill to incorporate the Indiana cotton mills," have had the same under consideration, and have directed me to report it back to the House without amendment, and recommend its passage ; and ask to be discharged from the further consideration of the subject ;

Which was concurred in, and said bill was ordered to be engrossed for a third reading.

Mr. Williams of Madison made the following report :

MR. SPEAKER :

The committee to whom was referred the petitions of sundry citizens of Jefferson and Ripley counties, praying for the passage of an act incorporating a company to construct a McAdamized road from Madison to Cross Plains, have had the same under consideration, and a *majority* of said committee, have instructed me to report the following bill, and recommend its passage, and said committee ask be discharged from further consideration of the same:

No. 159. A bill to incorporate the Madison and Cross Plains turnpike company ;

Was read a first time and ordered to a second reading.

Mr. Short made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill No. 102, "an act to incorporate the Liberty and Brownsville turnpike company," have had the same under consideration and directed me to report it back to the House without amendment, and recommend its passage ;

Said bill No. 102, was ordered to be engrossed for a third reading.

Mr. Williams of Madison made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred House bill No. 121, entitled "an act to incorporate the Cannelton glass manufacturing company," have had the same under consideration, and have instructed me to report the same back to the house without amendment, and recommend its passage ;

Said bill No. 121 was read a second time and ordered to a third reading.

Mr. Williams of Madison also made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 126, entitled, "an act to incorporate the Cannelton Foundry," have had the same under consideration, and have directed

me to report the same back to the House without amendment and to recommend its passage ;

Said bill No. 126, was ordered to be engrossed for a third reading.

Mr. Harvey made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred the petition of Christian Stoelting and others, praying the legislature to grant a charter incorporating the German Evangelical Lutheran St. John's church in Cæsar creek township in Dearborn county, have had the same under consideration and directed me to report the accompanying bill, and recommend its passage ; and said committee ask to be discharged from the further consideration of the subject ;

No. 160. A bill to incorporate the German Evangelical Lutheran St. John's church in Dearborn county ;

Was read a first time and ordered to a second reading.

Mr. Hull made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 125, "a bill to incorporate the Cannerton cotton mill," have had the same under consideration, and directed me to report back to the House without amendment, and recommend its passage.

Said bill No. 125, was ordered to be engrossed for a third reading.

Mr. Harvey made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 128, entitled, "an act granting to the citizens of Aurora in the county of Dearborn a city charter," have had the same under consideration, and instructed me to report the same back to the House without amendment, and recommend its passage ; and said committee ask to be discharged from the further consideration of the subject.

Said bill No. 128, was ordered to be engrossed for a third reading.

Mr. Hull made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 67, "A bill to incorporate the Attica and Warren county Bridge Company," have had the same under consideration, and directed me to report the same back to the House with certain amendments, and when so amended recommend its passage.

Said bill No. 67, was ordered to be engrossed for a third reading.
Mr. Harvey made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 150, entitled "a bill to incorporate the Clay Cotton Mills," have had the same under consideration, and instructed me to report the same back to the House without amendment, and recommend its passage, and said committee ask to be discharged from the further consideration of the subject.

Said bill No. 150, was ordered to be engrossed for a third reading.
Mr. Gooding made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred House bill No. 60, "an act to incorporate the Madison and Brownstown Turnpike Company," have had the same under consideration, and have directed me to report the said bill with one amendment, and when so amended to recommend its passage.

Amend title of the bill by adding "by way of Kent, in the county of Jefferson, and Wooster, in the county of Scott."

Said amendment was adopted, and the bill was ordered to be engrossed for a third reading.

Mr. Hull made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 122, "a bill to incorporate the Cannelton Paper Mill," have had the same under consideration and have directed me to report the same back to the House without amendment, and recommend its passage.

Said bill No. 122 was ordered to be engrossed for a third reading.
Mr. Short made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill No. 123, "an act to incorporate the Ward Cotton Mill," have had the same under consideration and have directed me to report it back to the House without amendment, and recommend its passage.

Said bill No. 123 was ordered to be engrossed for a third reading. Mr. Harvey made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill No. 147 of the House, entitled "an act to incorporate the Madison, Lexington, and Brownstown Turnpike Company," have had the same under consideration and instructed me to report the same back to the House without amendment, and recommend its passage, and said committee ask to be discharged from the further consideration of the subject.

Said bill No. 147 was ordered to be engrossed for a third reading. Mr. May made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 119, "a bill to incorporate the Taylor Cotton Mills," have considered the same, and directed me to report it back to House without amendment, and recommend it passage, and the committee ask to be discharged from the further consideration thereof.

Said bill No. 119 was ordered to be engrossed for a third reading. Mr. McDonald of Lake made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of sundry citizens of Porter county relative to road taxes, have had the same under consideration and directed me to report the following bill and recommend its passage, &c.

No. 161. A bill to revise the road laws in the counties of Lake and Porter ;

Was read a first time and ordered to a second reading.

Mr. Williams of Madison made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry

citizens of the counties of Madison and Hamilton, have had the same under consideration, and have directed me to report the following bill and recommend its passage, and the committee ask to be discharged from the further consideration of the subject :

No. 162. A bill to locate a State road in Madison and Hamilton counties ;

Was read a second time and ordered to be engrossed for a third reading.

Mr. Prather made the following report :

MR. SPEAKER :

The select committee to which was referred resolution of the House directing them to report a bill to provide for the election of township assessors and collectors in Jennings county, have had the same under consideration, and directed me to report the accompanying bill, and respectfully recommend its passage.

No. 163. A bill providing for the election of township assessors and township collectors in Jennings county, and for other purposes ;

Was read a first time and ordered to a second reading.

Mr. Fuller made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Warrick county, in relation to grocery license, &c., have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 164. A bill to repeal an act therein named ;

Was read a first time and ordered to a second reading.

Mr. Gordon made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Geo. Gillespie and other citizens of Wayne county, praying for the vacation of block number forty-seven in the town of Hagerstown, have had the same under consideration, and have directed me to report the following bill and recommend its passage, and ask to be discharged from any further consideration of the subject :

No. 165. A bill to vacate a part of the town of Hagerstown in Wayne county ;

Was read a first time and ordered to a second reading.

Mr. Sackett made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition from the board of commissioners of Perry county instruct me to report the following and recommend its passage :

No. 166. A bill declaring a misprint in the first section of an act of the local laws of 1847 in relation to the surplus revenue agent of Perry county;

Was read the first time and ordered to a second reading.

Mr. Winstandley made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of A. S. Burnett and others, praying to change the name of Melissa Davis to Melissa Emeline Miller, have had the same under consideration, and direct me to report the following bill, and respectfully recommend its passage :

No. 167. A bill to change the name of Melissa Davis to Melissa Emeline Miller;

Was read the first time and ordered to a second reading.

Mr. McDonald, of Adams, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Jacob Cowkel and others, of the county of Adams, have had the same under consideration, and directed me to report the following bill and recommend its passage, viz :

No. 168. A bill to authorize Nottingham Merser to build a mill dam across the Wabash river in Adams county ;

Was read a first time and ordered to a second reading.

Mr. McConnell made the following report :

MR. SPEAKER :

The select committee to whom was referred a bill to incorporate the "Jasper county Iroquois Navigation and Manufacturing Company," have considered the same and report it back without amendment, and recommend its passage.

Said bill, No. 169, was read a first time and ordered to a second reading.

Mr. Hunt made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of St. Joseph and Laporte counties, praying the location of a certain State road therein named, have had that subject under consideration and directed me to report the following bill and recommend its passage. :

No. 170. A bill to locate a State road in the counties of Laporte and St. Joseph;

Was read a first time and ordered to a second reading.

Mr. Wolf made the following report :

MR. SPEAKER :

The committee to whom was referred No. 88, a bill to incorporate the Evansville Vincennes and Terre Haute Railroad Company, have had the same under consideration, and have directed me to report the same back with the following amendment to the eleventh section, to-wit :

Provided, That said corporation, instead of bringing suit as provided for in this section, may in its discretion at any time after the expiration of six months from and after any such payment shall become due, declare such stock to be forfeited absolutely to said corporation ;

And recommend the passage of the bill ;

Which was concurred in.

On motion by Mr. Dole,

Said bill was referred to the committee on corporations.

Mr. Ford made the following report :

MR. SPEAKER :

The committee to whom was referred the bill of the House No. 57, an act to incorporate the Brownstown and Scipio Railroad Company, with specific instructions, have had the same under consideration, and have directed me to report the same back, amended according to the instructions, and respectfully recommend its passage.

Said report was concurred in,

The amendments were adopted and said bill was ordered to be engrossed for a third reading.

Mr. Jones of S. made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of John A. Beal and others, citizens of Switzerland county, praying for the repeal of "An act to amend and revise an act entitled 'An act to incorporate the several townships in the county of Dearborn,' approved February 7, 1825, and for other purposes," approved February 1, 1834, so far as the same relates to the county of Switzerland, have had the same under consideration, and have directed me to report that we deem it inexpedient to legislate further thereon;

Which was concurred in.

Mr. Shryock made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Fulton county, with regard to the refunding of certain taxes collected by the county of Kosciusko from the said county of Fulton, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 171. A bill to require the treasurer of Kosciusko county to refund certain taxes, and for other purposes ;

Was read a first time and ordered to a second reading.

Mr. Widney made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Dekalb county, praying for the passage of an act authorizing John Webster to build a mill dam across the Little St. Joseph river, have had the same under consideration, and directed me to report the accompanying bill and recommend its passage:

No. 172. A bill to authorize John Webster to build a mill dam across the Little St. Joseph river, in Dekalb county ;

Was read a first time and ordered to a second reading.

Mr. Harvey made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Samuel H. Chipman and others, praying the Legislature to repeal a certain act therein named, have had the same under consideration,

and directed me to report the accompanying bill and recommend its passage, and said committee ask to be discharged from the further consideration of the subject:

No. 173. A bill to repeal an act vacating part of the town of Milford in Kosciusko county ;

Was read a first time and ordered to a second reading.

Mr. Dougherty made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of James M. Lethers praying for the passage of an act to legalize the assignment of a certificate for certain school lands, and authorizing the auditor and school commissioner of Morgan county to make a deed for said land, have had that matter under consideration, and directed me to report the following bill and recommend its passage:

No. 174. A bill to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes ;

Was read a first time and ordered to a second reading.

Mr. Colip made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Peter Case and others, asking a change in the Strawtown and Peru State road, in the county of Hamilton, have had the same under consideration, and have authorized me to report the following bill and recommend its passage:

No. 175. A bill to authorize a certain change in the Strawtown and Peru State road, in Hamilton county ;

Was read a first time and ordered to a second reading.

Mr. Widney made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Dekalb county, praying for an alteration in the road law, have had the same under consideration, and directed me to report the accompanying bill and recommend its passage:

No. 176. A bill in relation to roads in Dekalb county ;

Was read a first time and ordered to a second reading.

Mr. Dougherty made the following report :

MR. SPEAKER:

The select committee to whom was referred the petition of Daniel Thornberry, praying the passage of an act legalizing the assignment of a certificate for certain school lands in Morgan county, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 177. A bill to legalize the assignment of a certificate for certain school lands therein named,

Was read a first time and ordered to a second reading.

Mr. Blythe made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of Nathan Rowly and others, praying for the sale of certain property therein mentioned, report, that they have had the same under consideration and have directed me to report the accompanying bill, and recommend its passage:

No. 178. A bill to authorize the sale of a certain town lot therein named,

Was read a first time and ordered to a second reading.

Mr. Colip made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of Peter Wise and others, asking leave to build a mill dam across White river in Hamilton county, have had the same under consideration and have authorized me to report the following bill and recommend its passage:

No. 179. A bill to authorize Peter Wise and others to build a mill dam across White river in Hamilton county,

Was read a first time and ordered to a second reading.

Mr. Line made the following report:

MR. SPEAKER:

The committee to whom was referred a petition of sundry citizens of Millerville, Franklin County, Indiana, (praying for corporate privileges for literary purposes) with instructions to inquire if there was not a general law which would meet the case of the petitioners, would beg leave to report, that in discharge of that duty, they have examined the general law, passed at the session of '46 and '47, entitled "An act authorizing the formation of voluntary associ-

ations," and that by a compliance on the part of the petitioners with that law, they may become incorporated, and enjoy all the rights and immunities they can reasonably ask, and as a consequence does supercede the necessity of local legislation on the subject;

Which was concurred in.

Mr. Miller made the following report:

MR. SPEAKER:

The select committee to which was referred the petition of sundry citizens of South Bend, asking the repeal of part of an act authorizing the State Bank of Indiana to lay off, plat, and record in outlots certain lands adjoining the town of South Bend in St. Joseph county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 180. A bill to repeal part of an act authorizing the State Bank of Indiana to lay off, plat, and record in out lots certain lands adjoining near to the town of South Bend, St. Joseph county;

Was read a first time and ordered to a second reading.

Mr. Dougherty made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of William Berry, praying the passage of an act legalizing the assignment of a certificate for certain school lands, and authorizing the auditor and school commissioner of Morgan county to make a deed for said land, have had that matter under consideration, and have instructed me to report the following bill and recommend its passage:

No. 189. A bill to authorize the auditor and school commissioner of Morgan county to make a deed to William Berry for certain school land in said county;

Was read a first time and ordered to a second reading.

Mr. Frazier made the following report:

MR. SPEAKER:

The select committee to whom was referred House bill No. 26, "an act to authorize the voters of Jefferson township, Kosciusko county to vote at any adjoining poll in their county," have had that subject under consideration, and have directed me to report the same back with an amendment, and recommend its passage, Mr. Huddleston dissenting from this report.

Amend the first section by striking out the words "any general or presidential election," and insert "any election other than elections for township officers."

Said amendment was adopted, and said bill was ordered to be engrossed for a third reading.

On motion by Mr. Frazier,

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion by Mr. Major;

The rules were suspended and the House took up bill of the Senate

No. 92. A bill to fix the time of holding probate courts in Shelby county;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Lane,

The rules were further suspended, and the House took up bill of the House

No. 145. A bill for the relief of tax payers in certain counties therein named;

Which was read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Gooding made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill No. 120 of the House, have had the same under consideration, and have directed me to report it back to the House and recommend its passage :

No. 120. A bill to incorporate the Perry cotton mill ;

Was ordered to be engrossed.

Mr. Thompson of Gibson made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Gibson county, praying to be reimbursed expences incurred defending suits brought against their lands by the Vincennes University, have had the same under consideration, and have instructed me to report the following bill and recommend its passage:

No. 181. A bill for the relief of certain purchasers of seminary lands in Gibson county;

Was read a second time and ordered to a third reading.

Mr. Dougherty made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of Mary Caldwell, praying the passage of an act legalizing the assignment of a certificate for certain school lands, and authorizing the auditor and school commissioner of Morgan county to make a deed therefor, have had that subject under consideration, and directed me to report the following bill and recommend its passage:

No. 172. A bill to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes;

Was read a first time and ordered to a second reading.

Mr. Short made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of the county of Lawrence, have had the same under consideration, and beg leave to report the following bill, and recommend its passage:

No. 153. A bill to amend an act entitled an act to confine voters to their respective townships, approved January 13, 1845;

Was read a first time and ordered to a second reading.

Mr. Blythe made the following report:

MR. SPEAKER :

The committee to whom was referred the petition of Edward Hopkins and others, asking for the vacation of certain enlargements of the city of Evansville, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage:

No. 184. A bill to vacate certain enlargements of the town of Evansville:

Was read a first time and ordered to a second reading.

Mr. May made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens residing in Claysville, Washington county, asking that a new school district be formed from districts No. 1 and No. 4, in congressional township No. 2 north, of range two east, have had the same under consideration, and directed me to report the accompanying bill, and ask its reference to the committee on education:

No. 185. A bill to form a new school district from districts No. 1 and No. 4, in congressional township No. 2 north, of range 2 east;

Which was read a first time and ordered to a second reading.

Mr. Criswell made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition and remonstrance of sundry citizens of Jennings and Ripley counties in relation to the Brownstown and Napoleon State road, have had the same under consideration, and directed me to make the following report, in which the concurrence of the House is respectfully asked :

Your committee are of opinion that no change ought to be made as asked for by the petitioners, because the road as it now runs is on better ground, and when opened as contemplated, will be decidedly nearer and less liable to be changed;

Which was concurred in.

Mr. Neal made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Boone county, in reference to the Covington and Strawtown State road in said county, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 186. A bill to legalize the proceedings of the board of commissioners of Boone county, in reference to the survey of a certain State road in said county;

Was read a first time and ordered to a second reading.

On motion by Mr. Robinson,

The House took up the bill of the Senate,

No. 114. A bill to amend an act, entitled "An act to incorporate the White Water Valley Canal Company," approved January 20, 1842.

Mr. Robinson moved to refer the bill to a select committee with instructions to amend as follows :

Amend the fifth line in the first section by inserting after the word amount, "not less than twenty dollars."

Amend the seventh line in the first section after the word interest, "not to exceed ten per cent. per annum."

Strike out all after the word bonds in the twenty-fourth line, and insert the following proviso :

"*Provided, further,* That nothing in this act shall be so construed as to render the State liable for the payment of the bonds hereby authorized to be issued, in case of the redemption of said Canal by the State."

Also add the following sections to said bill :

That said company be, and the same are, hereby, authorized to transfer that portion of said canal between Harrison and Lawrenceburgh to the city of Lawrenceburgh, through its proper authorities, as may be agreed upon by said parties : *Provided,* That the transfer so made shall obligate the said city to put that portion of said canal hereby authorized to be relinquished in good repair, and keep the same in good navigable condition, and that such transfer, hereby authorized, shall not conflict or in any manner prejudice the interest of the State of Indiana in case she may at any time see proper to resume said canal : *Provided, further,* That nothing in this section shall be so construed as to release said company to keep said part of said canal in repair, in the event the city of Lawrenceburgh should refuse to accept said canal hereby authorized to be relinquished.

SEC. —. That the second proviso in the second section of said act be, and the same is, hereby, repealed.

Messrs. Robinson, Meredith, and Line were appointed said committee.

Mr. Williams, of Knox, offered the following resolution :

Resolved, That this House will hereafter meet at half past 8 o'clock A. M., and half past 1 o'clock P. M., for the remainder of the session.

Mr. Lowe moved to lay said resolution on the table,
Which motion prevailed.

Mr. Covington offered the following resolution :

Resolved, That the committee on corporations be, and they are hereby instructed, to include in each charter proposed to be granted to any canal, railroad, or turnpike company, a section in the usual form, requiring stockholders to be liable in their individual capacity for all the debts of the company which it is proposed to incorporate.

Mr. Gooding moved to amend the resolution so that stockholders should be individually liable in proportion to the amount subscribed.

Which amendment,

On motion by Mr. Harvey,

Was laid on the table.

Mr. Hull moved to lay the resolution on the table ;

Which did not prevail.

The question being on the adoption of the resolution,

And the ayes and noes being demanded by Messrs. Harvey and Neal,

Those who voted in the affirmative are,

Messrs. Albin, Covington, Gooding, Hall, Harlan, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Major, McDonald of Adams, McDonald of Lake, Neal, Shryock, Slater, Tinbrook—16.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Carr, Chambers, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Danner, Davis, De Bruler, Dimmitt, Dobson, Dole, Dougherty, Doyle, Durham, Ford, Frazier, Fuller, Goodman, Gordon, Graham, Hamilton, Hankins, Harvey, Hetfield, Huddleston, Hull, Hunt, Keiser, Kinney, Lane, Lichteberger, Little, Lockwood, Lowe, May, McConnell, McCormick, McKinzie, Meredith, Miller, Mills, Morrison, Neff, Nimmons, Norris, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Short, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Trimble, Widney, Williams of Knox, Williams of Madison, Winstandley, Wolf, and Mr. Speaker—79.

So said resolution was not adopted.

Mr. Brown offered the following resolution :

Resolved, That the principal of the Indiana Institute for the Blind be invited to give a public exhibition of the pupils under his charge in the hall of the House of Representatives on Tuesday evening next, at half past six o'clock, and that the use of the hall be granted at such time for that purpose;

Which was adopted.

Mr. Brown offered the following resolution :

Resolved, That the principal of the Indiana Asylum for the Deaf and Dumb be invited to give a public exhibition of the pupils under his charge, in the Hall of the House of Representatives on Wednesday evening next at half past six o'clock, and that the use of the hall of the House be granted at such time for that purpose;

Which was adopted.

On motion by Mr. Brown,

Resolved, That the reports of the trustees and officers of the Deaf and Dumb Asylum, Hospital for the Insane, and the Institute for

the Blind be taken from the table and referred to the committee on benevolent and scientific institutions.

On motion by Mr. Dobson,

Messrs. Dunham and Harvey were added to the select committee heretofore appointed on the memorial of Mr. Galletty in relation to the Terre Haute Branch Bank.

On motion by Mr. Slater,

Resolved, That the committee on the State Prison be instructed to inquire whether the lessee of the Indiana State Prison has not violated his contract with the State by working the prisoners outside the walls of the prison—by inflicting corporal punishment upon the prisoners contrary to law, and by engaging them in mechanical and other employments, coming in direct competition with the laborers and mechanics of Jeffersonville, and that they report the result of their investigations to the House at as early a day as possible.

Mr. Cookerly offered the following resolution :

Resolved, That the committee on ways and means be instructed to inquire into the expediency of allowing members of the Legislature mileage in going from and returning to the Legislature in consequence of the temporary adjournment in addition to their regular mileage,

Which was,

On motion by Mr. Lane,

Laid on the table.

On motion by Mr. Dobson,

The select committee on Mr. Galletty's petition had leave to sit during the session of the House this afternoon.

On motion by Mr. Lane,

Resolved, That the committee on roads and highways be, and they are hereby instructed to revise the road laws, and have the same published in pamphlet form, in sufficient number for distribution throughout the state.

Mr. Robinson, leave being granted therefor, made the following report :

MR. SPEAKER :

The select committee to whom was referred with instructions, Senate bill No. 114, to amend an act entitled an act to incorporate the White Water Valley canal company, have had the same under consideration, and directed me to report the same back to the House and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

Said report was concurred in and the amendments thereto adopted, the rules were suspended, the bill considered as engrossed, and read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Shryock offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the expediency of selling the state stock in the Madison and Indianapolis railroad, and applying the proceeds thereof to the completion and erection of benevolent institutions and other benevolent purposes.

Which was laid on the table.

Mr. Stanton offered the following resolution :

Resolved, That the committee on education be, and they are hereby required to enquire into the expediency and propriety of passing a law, the provisions of which shall be, that from and after the first day of the year 1853, no white person, who, at the time of the passage of said law shall be under sixteen years of age, shall be allowed to marry, unless he or she can read the bible, write, and cast up accounts ; and that said committee have leave to add such provisions to the " school bill " now before them, or to report specially as they may think proper.

Mr. Orton moved to insert at the proper place, "or if he is not a good whig ;"

Mr. Gooding moved to lay the resolution and amendment on the table ;

Which did not prevail.

Mr. Hull moved to lay the amendment on the table ;

Which did not prevail.

The amendment of Mr. Orton was then adopted, and the resolution as amended was adopted by the House.

Mr. Widney offered the following resolution :

Resolved, That a select committee of five be appointed by the chair, to enquire into the expediency of passing a law exempting from execution on contracts hereafter entered into, a certain amount of real estate, including the residence of families of two or more persons, said committee to report by bill or otherwise.

Mr. Winstandly moved to amend said resolution, so as to refer it to the judiciary committee ;

Which was so referred.

Mr. Wolfe offered the following resolution :

Resolved, That the House of Representatives will not entertain any motion to suspend the rules of this body, in the regular course of business, only in cases of great emergency, and that all bills and joint resolutions shall receive attention only in the order in which

they are introduced, for the sole purpose or object of facilitating business and bringing the session to a speedy close ;

Which was,

On motion by Mr. Lane,
Laid on the table.

On motion by Mr. Kinney,

The following resolution was taken from the table and adopted;

Resolved, That the 8th standing rule of this House, be so amended as to authorize the appointment of a standing committee on manufactories and commerce, in addition to the committees authorized by said rules ;

Mr. Harlan offered the following resolution :

Resolved, That the judiciary committee be instructed to report a bill to this House repealing all laws which require the testimony of witnesses in all suits and proceedings in the courts of chancery in this State, to be taken and reduced to writing, in the character of depositions, and to provide for taking and hearing the same under the same rules and regulations, as in courts at law, and to further provide and authorize the court hearing the same, in its sound discretion, in all cases which justice may require, to have the testimony spread upon the record.

Mr. Frazer moved to amend, so as to make it a resolution of inquiry ;

~~And~~ And the resolution so amended, was adopted.

Mr. Terry offered the following resolution :

~~Resolved~~ *Resolved*, That the committee on the judiciary be instructed to report a bill abolishing "an act to provide for the election of prosecuting attorneys by the people in the several counties," and reviving the law in force in relation to such attorneys at the time of the passage of said act, with such modifications and changes as said committee may deem expedient.

Mr. Neal moved to lay the resolution on the table ;

Which did not prevail ; and

On motion by Mr. Huddleston,
Was indefinitely postponed.

On motion,

The House adjourned till to-morrow morning at 9 o'clock.

FRIDAY MORNING, JANUARY 21, 1848.

The House met.

The following message was received from the Senate by Mr. Robinson, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof :

No. 122. A bill for the relief of the heirs of Louisa Jane Cassatt;

In which the concurrence of the House is respectfully requested.

Said bill, No. 122, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Terry,
Messrs. Bryant, Cole and Lowe were added to the standing committee on the judiciary.

Mr. Covington asked and obtained leave to withdraw from the files the remonstrance against granting a city charter to Rising Sun.

Mr. Hamilton offered the following resolution :

Resolved, That the committee of ways and means be authorized to appoint and employ a clerk so long as the business to be transacted by said committee may render it necessary.

Mr. Terry moved to amend said resolution by adding, "also a clerk for the judiciary committee.",

And the resolution, as amended, was adopted.

On motion by Mr. Stanton,

Resolved, That a select committee of three be appointed to inquire into the expediency of so amending the 11th article of chapter 30, of the Revised Statutes of 1643, as that the estate of persons dying without known heirs, shall be paid into the treasury of the county where the estate is situated, instead of into the State treasury, as now provided by said law.

The following gentlemen were appointed that committee :
Messrs. Stanton, Lowe, and Hamilton.

Mr. Orr offered the following resolution :

Resolved, That the committee on claims be required to fix the number of miles to each county for which members shall receive mileage, and report by bill or otherwise.

Mr. Harvey moved to amend said resolution so as to refer it to a committee of one from each judicial circuit.

The resolution, as amended, was adopted.

Whereupon, the Speaker appointed Messrs. Bryant, Danner, Jones of Switzerland, Lichteberger, Williams of Madison, Hanks, Wolf, Richmond, Shryock, Lockwood, Rulon, Parker, Criswell.

Mr. Shryock offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of allowing a specific salary to prosecuting attorneys, elected under the new law.

Which was laid on the table.

On motion by *Mr. McKenzie*,

Resolved, That a committee of three be appointed to inquire into the expediency of reporting a bill for the repeal of the individual liability clause in the charter of the Richmond and Terre Haute Railroad Company.

The following gentlemen were appointed that committee: Messrs. McKenzie, Meredith and Cookerly.

On motion by *Mr. Dimmitt*,

Resolved, That the judiciary committee be instructed to inquire into the propriety of re-appraising the land forfeited to the State for any cause, and report on the same by bill or otherwise.

The following message was received from the Senate by *Mr. Holloway*, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill of the House No. 151, entitled "an act changing the time of holding the probate courts, in the counties of Jefferson, Switzerland and Ohio," without amendment.

On motion by *Mr. Blythe*,

Resolved, That the committee on education be instructed to inquire whether any and what legislative action is necessary, in order more effectually to increase the usefulness of the Indiana State University.

On motion by *Mr. Dobson*,

Resolved, That the judiciary committee be requested to inquire into the expediency of so amending certain acts abolishing the office of county auditor in this State, in certain counties therein named, as to make it the duty of the clerks of the circuit court, upon whom the duties of county auditor were imposed by said acts, in the discharge of their official duties to perform them as clerk of the circuit court, and where the official seal is required to deeds &c., to be made under the seal of the circuit court, and to legalize all acts heretofore done by them as clerks of circuit court, and under the seal of the circuit court.

On motion by Mr. Harvey,
The House adjourned till 2 o'clock, P. M.

2 O'clock, P. M.

The House met.

Mr. Lane offered the following resolution :

Resolved, That a select committee of three be appointed to report a bill to this House repealing all laws authorizing the board doing county business, or the circuit courts allowing clerks pay for extra services in counties when the business of the county is discharged by the county auditor, and a bill declaratory of the existing law about costs in cases when the State fails to sustain the indictment, and what change is necessary with regard to the pay to sheriffs for extra services.

Mr. Cookerly moved to amend so as to make it a resolution of inquiry ;

Which motion prevailed,

And the resolution so amended was adopted,

And the following gentlemen were appointed that committee :
Messrs. Lane, Prather and Blythe.

On motion by Mr. Lane,

Resolved, That the judiciary committee be instructed to inquire if any change is necessary in the present laws, requiring *complete record* to be made out by the clerk of the circuit courts.

On motion by Mr. Prather,

Resolved, That the committee on ways and means be instructed to inquire into the expediency of so changing the law relative to

the sale of delinquent lands for taxes, that the same shall be forfeited to the respective counties, wherein such delinquent lands are situate, who shall apply the profits for the benefit of common schools, and shall assume the payment of the State tax due upon such forfeited lands, with leave to report by bill otherwise.

On motion by Mr. Dole,

Resolved, That the committee on the judiciary be instructed to report a bill with the necessary provisions, to secure to married women the exclusive ownership of their property both real and personal.

Mr. Hull offered the following resolution :

Resolved, That in all cases where a member of this House shall have introduced a bill or other matter for action thereof, and which may be referred to any committee, the members so introducing the same, shall, during the investigation of such bill or other matter by such committee, be considered a member thereof, provided such member shall not have a right to vote.

Which was not adopted.

The following message from the Senate was received, by Mr Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bills of the House, as follows :

No. 9. An act granting to the citizens of Rising Sun a city charter ; and

No. 25. An act explanatory of an act entitled an act to secure to Ohio county a share of the common school fund, and surplus revenue funds, and for other purposes, approved January 6, 1847.

Mr. Danner offered the following resolution :

Resolved, That the House of Representatives will, the Senate concurring therein, adjourn *sine die* on January the 31st 1848 ;
Which,

On motion by Mr. Lane,
Was laid on the table.

On motion by Mr. Stanton,

Resolved, That the committee on education be, and they are, hereby, instructed to incorporate into any bill which said committee may hereafter report to this House for taxing the people for common school purposes, that the persons and property of all negroes and mulattoes shall not be taxed.

On motion by Mr. Terry,

Resolved, That the committee on ways and means be instructed to inquire into the expediency of so amending section 116, article 7, chapter 12, Revised Statutes 1843, as to extend the provisions of said section as to authorize the refunding of taxes paid by purchasers of land sold for taxes in cases of invalid sales.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Brown,

No. 189. A joint resolution inviting Major General Zachary Taylor to visit Indiana;

By Mr. Cole,

No. 190. A joint resolution to consolidate the Winnemac, Fort Wayne, and Indianapolis land offices, and to locate the same at Peru;

By Mr. Hamilton,

No. 191. A bill for the purposes therein named;

By Mr. De Bruler,

No. 192. A bill in relation to the pay of grand and petit jurors;

By Mr. Harvey,

No. 193. A bill to authorize the auditor of Hendricks county to sell certain lands;

By Mr. Orton,

No. 194. A bill in relation to injunctions and chancery practice;

By Mr. Dobson,

No. 195. A bill to provide for the construction of a railroad from Martinsville, in Morgan county, to Point Commerce, in Greene county;

By Mr. Lane,

No. 196. A bill to authorize a company to construct the Aurora and Laughery Turnpike;

Also, No. 197. A bill authorizing a company to construct a turnpike road from Mooresville to Aurora, in Dearborn county;

By Mr. Terry,

No. 198. A bill in relation to school funds in the county of Daviess;

By Mr. Coffin,

No. 199. A bill to regulate the fees and emoluments of the officers of the county of Henry;

By Mr. Williams of Madison,

No. 200. A bill repealing a certain act therein named;

By Mr. Gooding,

No. 201. A bill to provide for taking the sense of the qualified voters of the State on calling a convention to alter, revise, or amend the Constitution of this State;

By Mr. Wolfe,

No. 202. A bill to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county, Indiana;

By Mr. Stanton,

No. 203. An act to repeal the first, second, third, and fourth sections of the 73d chapter of the Revised Statutes of the year 1838;

Also, No. 204. A bill relative to sureties of justices of the peace; Which were severally read a first time and ordered to a second reading.

By Mr. Stanton,

No. 205. A bill to amend an act, entitled "An act relative to fugitives from labor," approved January 24, 1824;

Which was read a first time.

Mr. Dunham moved to reject the bill.

And the ayes and noes being demanded by Messrs. Stanton and Meredith,

Those who voted in the affirmative are,

Messrs. Allison, Blythe, Bowling, Brown, Campbell, Carr, Chambers, Cookerly, Covington, Danner, Davis, De Bruler, Dimmett, Dobson, Dougherty, Doyle, Dunham, Ford, Hall, Hankins, Harding, Holden, Hull, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lichteberger, Lockwood, Major, May, McKinzie, Mills, Norris, Orton, Roache, Robinson, Short, Shryock, Slater, Smiley, Sullivan, Swihart, Terry, Tinbrook, Williams of Madison, Winstandlee, Wolfe, and Mr. Speaker—49.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Blackstone, Bryant, Coble, Coffin, Cole, Colip, Commons, Criswell, Dole, Frazier, Gooding, Goodman, Gordon, Hamilton, Harlan, Harvey, Hetfield, Huddleston, Hunt, Line, Little, Love, McConnell, McCormick, McDonald of Adams, McDonald of Lake, Meredith, Miller, Neal, Neff, Nimmons, Orr, Parker, Prather, Richmond, Rulon, Sackett, Stanton, Stone, Thompson of Carroll, Thompson of Gibson, Trimbley, Widney, and Williams of Madison—46.

So said bill was rejected.

By Mr. Ford,

No. 206. A bill to authorize the sale of lots in the town of Brownstown for delinquent taxes;

By Mr. De Bruler,

No. 207. A bill repealing so much of section 233 of chapter 30 of the Revised Statutes of 1843, as requires the probate court to set the time of sales of real estate by executors and administrators;

By Mr. Blackstone,

No. 208. A bill to extend the time of holding the commissioners' court of Boone county;

By Mr. Sullivan,

No. 209. A bill for the protection of the rights of married women;

By Mr. Williams of Madison,

No. 210. A bill to change the name of Bezaleel Thomas to that of Basil Thomas;

Also, No. 211. A bill authorizing the Board of Madison county Commissioners to do a certain act;

Also, No. 212. A bill to authorize the Board of Commissioners of Madison county to use certain stone therein named;

By Mr. Blythe,

No. 213. A bill to amend the 29th chapter of the Revised Statutes of 1843, relative to the acknowledgment of deeds and other instruments in writing;

By Mr. Bryant,

No. 214. A bill to provide for the improvement of the town of Williamsport;

By Mr. Hatfield,

No. 215. A bill to revive and amend the act relative to the Covington Draw-bridge Company ;

By Mr. Wolf,

No. 216. A bill to authorize the clerk of Sullivan county to offer and sell certain lots and land therein named at the court house door in Sullivan county ;

By Mr. Miller,

No. 217. A bill to abolish the office of school commissioner in St. Joseph county and to transfer the duties of said office to the county treasurer ;

By Mr. Slater,

No. 218. A bill to amend an act entitled an act to incorporate the Lawrenceburgh and Rushville Turnpike Company, approved January 19, 1846 ;

By Dr. Dole,

No. 220. A bill to amend an act entitled "an act appointing commissioners to make partition of the real estate of Stephen S. Collett, late of Vermillion county, deceased," approved January 19, 1846 ;

By Mr. Lowe,

No. 221. A bill relative to the probate court of Monroe county ;

By Mr. Neff,

No. 222. A bill to authorize the sale of certain lots in Indianapolis ;

By Mr. Dougherty,

No. 223. A bill to amend an act entitled an act to provide for the construction of a railroad from Martinsville, in Morgan county, to Franklin, in Johnson county, approved January 20, 1846 ;

By Mr. Lane,

No. 221. A bill authorizing the boards doing county business to continue in session ten days at their March and June sessions ;

By Mr. Terry,

No. 225. A bill authorizing county auditors to take acknowledgement of deeds in certain cases ;

By Mr. Baldwin,

No. 226. A bill in relation to constables ;

By Mr. DeBruler,

No. 227. A bill extending the time for supervisors to work the roads ;

By Mr. Stone,

No. 228. A bill for the relief of the several recorders of this State ;

By Mr. Terry,

No. 229. A bill to amend an act in relation to the advertising of delinquent tax lists ;

By Mr. Wolfe,

No. 230. A bill to authorize county auditors and treasurers to make set-offs in certain cases ;

By Mr. Miller,

No. 231. A bill to enable the auditor of St. Joseph county to make a deed in a certain case ;

By Mr. Orton,

No. 232. A bill declaring the meaning of an act to amend an act amendatory to an act incorporating Michigan City, approved February 15, 1841 ;

By Mr. Widney,

No. 233. A bill in relation to the collection of road receipts ;

By Mr. Short,

No. 234. A bill to require the trustees of the Indiana University to report to the General Assembly ;

By Mr. Chambers,

No. 235. A bill to authorize Sarah Shannon to convey certain real estate ;

By Mr. Williams, of Knox,

No. 236. A bill amendatory of the laws now in force in relation to decedents' estates ;

By Mr. Miller,

No. 237. A bill to legalize the vacation of certain lots, streets, and alleys in South Bend ;

By Mr. Colip,

No. 238. A bill to legalize the acts of Michael Sheel, a justice of the peace of Hamilton county ;

By Mr. Stone,

No. 239. A bill repealing the 16th and 17th sections of the Revised Statutes of 1843, chapter 10th ;

By Mr. Richmond,

No. 240. A bill in relation to road tax in the county of Howard ;

By Mr. Hull,

No. 242. A bill to amend article 45 of Revised Code of 1843 ;

By Mr. Slater,

No. 243. A bill authorizing the sheriff of Dearborn county to use the jail at Wilmington, for a certain period of time therein mentioned ;

Which were all read a first time and ordered to a second reading.

By Mr. Shryock,

No. 219. An act to repeal an act entitled an act defining the duties of county treasurers, passed January 13, 1845 ;

By Mr. Harlan,

No. 242. A bill to authorize John Secrest to build a mill dam across the Mississinewa river in Grant county ;

By Mr. Hull,

No. 244. A bill to incorporate the Madison Hotel Company ;

Which were read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Orr,

No. 246. A bill reducing the fee for recording deeds in Delaware county ;

Also,

No. 247. A bill to revive an act entitled an act to incorporate the town of Muncie in Delaware county ;

By Mr. Miller,

No. 248. A bill authorizing county auditors to make deeds in certain cases ;

By Mr. Hull,

No. 250. A bill relative to the sale on execution of property fraudulently transferred ;

Which were severally read a first time and ordered to a second reading.

By Mr. Cole,

No. 251. A bill to re-appraise the Wabash and Erie canal lands ;

Also,

No. 252. A bill to amend an act entitled an act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of records of Miami county by fire, and to provide for the election of a commissioner to restore said records, approved January 13, 1845 ;

Also,

No. 253. A bill to amend section 4, article 1, chapter 7, of the Revised Statutes of 1843 ;

By Mr. Brown,

No. 254. A bill authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county, Indiana ;

Also,

No. 255. A bill to vacate part of the Indianapolis and Centreville State road ;

By Mr. Kennard,

No. 256. A bill for the relief of Robert Brown and others;

By Mr. Line,

No. 257. A bill incorporating the Celebration Steam Mill Company, in Franklin county;

Which were severally read a first time and ordered to a second reading.

By Mr. Line,

No. 258. A bill for the relief of Sarah E. Edwards;

Which was read a first time, when

Mr. Harvey moved to reject the bill.

And the ayes and noes being demanded by Messrs. Little and Neal :

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blackstone, Brown, Bryant, Carr, Coble, Coffin, Colip, Commons, Danner, Davis, De Bruler, Dimmett, Dougherty, Ford, Frazer, Gordon, Hall, Hankins, Harding, Harvey, Hetfield, Huddleson, Hull, Jones of Bartholomew, Lichteberger, Little, Lockwood, May, McConnell, McCormick, McKinzie, Mills, Morrison, Neal, Neff, Orton, Prather, Richmond, Roache, Robinson, Rulon, Short, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Tinbrook, Trimble, Williams of Knox, Williams of Madison, Wolf, and Mr. Speaker—58.

Those who voted in the negative are,

Messrs. Blythe, Bowling, Campbell, Chambers, Cole, Criswell, Dobson, Fuller, Gooding, Goodman, Graham, Hamilton, Harlan, Holden, Hunt, Jones of Switzerland, Keiser, Kennard, Line, Major, McDonald of Adams, McDonald of Lake, Meredith, Miller, Nimmons, Norris, Orr, Sackett, Thompson of Gibson, and Widney—30.

So said bill was rejected.

By Mr. Dunham,

No. 245. A bill for the relief of Joseph R. Pratt;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on claims.

On leave granted,

Mr. Fuller made the following report :

MR. SPEAKER :

The committee on military affairs to whom was referred sundry resolutions, have had the same under consideration, and directed me to report the following bill and recommend its passage.

No. 249. A bill to organize and regulate the militia of the State of Indiana ;

Was read a first time and ordered to a second reading.

By Mr. Line,

No. 259. A bill to locate a State road in the counties of Franklin and Ripley ;

Also,

No. 260. A bill authorizing the auditor of Franklin county to sell certain school lands therein named ;

By Mr. De Bruler,

No. 261. A bill providing for the re-appraisement of real estate in certain cases ;

By Mr. Hunt,

No. 262. A bill to vacate a certain street in the village of Byron, in Laporte county ;

Also,

No. 263. A bill to amend the charter of the Indiana Medical College ;

By Mr. Hamilton,

No. 266. A bill to authorize Elizabeth Wright to dispose of certain real estate therein named ;

No. 267. A bill to change the name of Charlotte Leggett Fox DuBois to Charlotte Fox DuBois Ladd ;

Which were severally read a first time and ordered to a third reading.

Mr. Miller, on leave granted, offered the following resolution :

Resolved, That the committee on roads be permitted to employ a clerk if they should decide to revise the road laws.

Which was adopted.

On motion by Mr. Hull,

Leave of absence was granted Mr. Covington until next Tuesday.

On motion by Mr. Smiley,

Leave of absence was granted Mr. Doyle until next Tuesday.

Leave of absence was also granted Mr. Norris until next Tuesday.

Mr. Roache introduced,

No. 264. An act declaring Scott Noel the successor in office as justice of the peace of Robert M. Gilkison ;

Which was read three several times, the rules being suspended, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Terry, on leave, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Wil-

liam Donnolly and others, have had the same under consideration, and have instructed me to report the following bill and recommend its passage:

No. 265. An act in relation to a certain State road in the county of Daviess;

Said bill was read three several times, the rules being suspended, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Sullivan,

The petition in relation to pedlars' licenses was withdrawn from the judiciary committee and referred to the committee on ways and means.

On motion by Mr. Sullivan,

Bill of the House,

No. 146. A bill to incorporate the Indiana Canal Company,
Was taken from the table and placed on the files.

On motion by Mr. Stone,

The House adjourned till to-morrow morning at 9 o'clock.

SATURDAY MORNING, JANUARY 22d, 1848,

The House met.

On motion by Mr. Fuller,

The reading of the journal was dispensed with.

ORDERS OF THE DAY.

Bills on third reading.

No. 12. A bill to enable the supervisors of Scott county to make their returns to the board doing county business on the first Monday in March annually;

No. 15. A bill explanatory of an act entitled "an act defining the duties of county treasurers in certain cases," approved January 13, 1845;

No. 21. A bill to authorize the Dearborn Probate court to make certain orders and decrees therein aimed;

No. 57. A bill to incorporate the Brownstown and Scipio Railroad Company;

Which were each severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 26. An act to authorize the voters of Jefferson township, Kosciusko county, to vote at any adjoining poll in their county;

No. 49. A bill to create the office of Attorney General, and to prescribe his duties;

Were each severally read a third time, and,

On motion,

Laid on the table.

No. 103. An act in relation to the fees of the treasurer of Owen county in certain cases;

Was read a third time, when,

On motion by Mr. Dunham,

Said bill was referred to a select committee of Messrs. Dobson, Dunham, and Short, with instructions to strike out that clause which requires the publication in the State Journal and Sentinel, and insert: "and after a copy hereof shall have been filed in the clerks' office of said county; and it shall be the duty of the Secretary of State to forward a copy of this bill to the clerk of said county immediately."

No. 60. A bill to incorporate the Madison Turnpike Company, by way of Kent in the county of Jefferson, and Wooster in the county of Scott;

No. 63. A bill extending the terms of the Probate Court of Madison county;

No. 67. A bill to incorporate the Attica and Warren county Bridge Company;

No. 81. A bill to regulate agencies of foreign insurance companies;

No. 84. A bill regulating the action of ejectment;

No. 85. A bill to legalize a sale of real estate by Peter Navare, jun.;

No. 86. A bill to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same;

No. 90. A bill to incorporate the South Bend Woolen and Cotton Manufacturing Company;

No. 91. A bill concerning the State Library;

No. 92. A bill fixing the jurors' fees before justices' courts in the county of Delaware;

No. 93. A bill to amend an act entitled "an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors;"

No. 97. A bill to incorporate the town of New London, Howard county;

No. 102. A bill to incorporate the Liberty and Brownsville Turnpike company;

No. 106. A bill lopping off all the extra allowance to the clerk and sheriff of Delaware county, as now allowed by the board of the same;

No. 110. A bill for the better securing of titles in Spencer and Dubois counties;

No. 112. A bill to amend an act regulating the mode of doing township business in the county of Elkhart;

No. 115. A bill regulating the salary of the auditor of Putnam county;

No. 116. A bill to regulate clerks' fees in the probate court of Jackson county;

No. 117. A bill relative to the charter of the city of Indianapolis;

No. 119. A bill to incorporate the Taylor Cotton Mills;

No. 120. A bill to incorporate the Perry Cotton Mills;

No. 121. A bill to incorporate the Cannelton Glass Manufacturing Company;

No. 122. A bill to incorporate the Cannelton Paper Mill;

No. 123. A bill to incorporate the Ward Cotton Mill;

No. 124. A bill to incorporate the Indiana Cotton Mill;

No. 125. A bill to incorporate the Cannelton Cotton Mill;

Which were severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 126. A Bill to incorporate the Cannelton Foundry;

Was read a third time.

Mr. Dunham moved to refer said bill to a select committee with the following instructions:

"To insert in its appropriate place what is commonly called the 'individual liability clause.'"

Mr. Lane moved to lay the instructions on the table, and,

The ayes and noes being demanded by Messrs. Neal and Gooding,

Those who voted in the affirmative are,

Messrs. Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Carr, Coble, Coffin, Cole, Colip, Commons, Criswell, Davis, De Bruler, Dimmett, Dole, Dougherty, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Keizer, Lane, Lichteberger, Lockwood, Lowe, McCormick, McKinzie, Meredith, Miller, Mills, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Williams of M., and Mr. Speaker—58.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Chambers, Cookerly, Dunham, Ford, Fuller, Gooding, Hall, Harlan, Hetfield, Holden, Jones of B., Jones of S., Kennard, Line, Major, May, McConnell, McDonald of A., McDonald of L., Neal, Roache, Rulon, Slater, Tinbrook, Trimble, Widney, Williams of K., Winstandley, and Wolfe—31.

So said instructions were laid on the table.

Mr. Gooding moved to refer said bill to the committee on corporations with the following instructions :

“To so amend the bill as to make the charter repealable, when in the opinion of the legislature, the public good requires it.”

Mr. Robinson moved to lay the instructions on the table, and

The ayes and noes being demanded by Messrs. Neal and Slater,

Those who voted in the affirmative, are,

Messrs. Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Davis, De Bruler, Dimmett, Dole, Dougherty, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Holden, Huddleston, Hull, Hunt, Keiser, Line, Lichteberger, Little, Lockwood, Lowe, McCormick, McKinzie, Meredith, Mills, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Smiley, Stanton, Stone, Sullivan, Swihart, Thompson of Carroll, Williams of Madison, Winstandley, and Mr. Speaker—60.

Those who voted in the negative are,

Messrs. Armstrong, Chambers, Danner, Dobson, Dunham, Ford, Gooding, Hall, Harlan, Hetfield, Jones of Bartholomew, Jones of Switzerland, Kennard, Line, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Neal, Roache, Rulon, Slater, Thompson of Gibson, Tinbrook, Trimble, Widney, Williams of Knox, and Wolfe—29.

So said instructions were laid on the table.

Mr. Neal moved to refer said bill to a select committee with the following instructions :

“That the stockholders shall be individually liable for all debts of the company in proportion to the amount of stock held by them.”

Which,

On motion,

Was laid on the table.

Mr. Line moved to refer said bill to the committee on corporations with instructions to make the following amendment :

“The legislature reserves the right to repeal said charter ; *Pro-*

vided, however, That it shall be made to appear that there has been a gross and palpable violation of its charter."

On motion by Mr. Wolfe,

The words "*gross and palpable*" were struck from said proposed instructions.

And the question being on referring said bill with said instructions, it was decided in the negative.

The question then recurring on the passage of the bill,

Messrs. McDonald of Lake, and Neal, demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Danner, Davis, De Bruler, Dimmett, Dole, Dougherty, Ford, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Keiser, Lane, Lichteberger, Little, Lockwood, Lowe, McConnell, McCormick, McKinzie, Meredith, Miller, Mills, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Short, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, and Mr. Speaker—65.

Those who voted in the negative are,

Messrs. Armstrong, Chambers, Dobson, Dunham, Fuller, Gooding, Hall, Harlan, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Line, Major, McDonald of Adams, McDonald of Lake, Neal, Roache, Rulon, Slater, Tinbrook, Trimble, and Wolfe—23.

So said bill passed.

Ordered, That the clerk inform the Senate thereof.

No. 127. An act to incorporate the Princeton Female Academy;

No. 128. An act granting to the citizens of Aurora in the county of Dearborn a city charter;

No. 129. An act to repeal an act therein named;

No. 130. An act to legalize the acts of the president and trustees of the town of Rising Sun in Ohio county, State of Indiana;

No. 131. An act to change the name of Ebenezer Barker Twitchel;

No. 132. An act for the relief of Mary M. Goodrich;

No. 133. An act to extend the jurisdiction of justices of the peace in the counties of Fulton and Marshall;

No. 134. An act to authorize the auditor and school commissioner of Miami county to make a deed to Jacob Brown;

No. 135. A bill to vacate certain streets and alleys therein named;

No. 139. An act to amend an act entitled "an act to repeal an act more effectually to enable supervisors to open and keep in repair public highways ;"

No. 141. An act in relation to the tax duplicate of the county of Jefferson for the year 1847 ;

No. 142. An act to incorporate the Centreville and Abbington turnpike company ;

No. 146. A bill to incorporate the Indiana canal company ;

No. 147. An act to incorporate the Madison, Lexington, and Brownstown turnpike company ;

Were each severally read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 148. An act to authorize Findly B. Johnson to construct and keep up a mill dam in Owen county ;

Was read a third time ; and,

On motion by Mr. Cookerly,
Indefinitely postponed.

The Speaker laid before the House a communication from Capt. Lemuel Ford relative to certain curiosities from the "Halls of the Montezumas" presented to the State of Indiana by Captain John S. Simonson ;

Which was referred to a select committee of five, consisting of Messrs. Cookerly, Sullivan, Ford, Morrison, and Chambers.

Mr. Jones of Switzerland, on leave, offered the following resolution :

Resolved, That when this House next adjourns, it will adjourn until Monday morning at nine o'clock.

Which was adopted.

Mr. Neff, on leave, made the following report

MR. SPEAKER:

The select committee to whom was referred a petition of the citizens of the town of Winchester, in Randolph county, Indiana, have had the same under consideration, and instructed me to report the accompanying bill and request its passage;

No. 268. An act to incorporate the town of Winchester in Randolph county, Indiana;

Said bill was read a first time and ordered to a second reading.

On leave, Mr. McDonald of A. made the following report from a select committee:

MR SPEAKER:

The select committee to which was referred the petition of George F. Baker of the county of Adams, praying the passage of a law vacating the streets, alleys, and town-lots in Georgetown, in said county, have had the same under consideration and directed me to report the following bill and recommend its passage;

No. 269. A bill to vacate the streets, alleys, and town-lots of Georgetown in the county of Adams.

Said bill was read a first time and ordered to a second reading.

On motion by Mr. Meredith,

The House adjourned until Monday morning at nine o'clock.

MONDAY MORNING, JANUARY 24, 1848.

The House met.

Mr. Meredith, on leave, offered the following resolution:

Resolved, That the committee on ways and means be directed to report a bill to this house, fixing the mileage of members of the Legislature, by computing the distance from the county seat of each county to the capital by the most usual route travelled by land.

Mr. Harvey moved to strike out all of said resolution from the resolving clause and insert the following:

That a committee of one from each judicial circuit be appointed to ascertain the number of miles each member of this house must necessarily travel in going to and from their respective places of residence to Indianapolis, by the most usually travelled route, and report the same to this House as soon as practicable.

Which amendment was not adopted.

On motion by Mr. Dunham,

Said resolution was amended by inserting as follows:

"And provide by said bill that in case a member resides beyond the county seat of his county, the said distance from said county seat to his place of residence shall be added to his mileage, and if he resides nearer the capital than his county seat, the distance from said county seat to his residence shall be deducted from his mileage."

On motion by Mr. Stanton,

"Committee on ways and means" was struck out from said resolution, and "select committee to whom a former resolution on the subject of mileage was referred" was inserted in lieu thereof.

Mr. Wolf moved to amend said resolution so as to require said committee to inquire into the expediency of reporting such a bill as contemplated in the resolution;

Which amendment was not adopted.

The question then being on the adoption of said resolution as amended by Messrs. Dunham and Stanton;

It was decided in the affirmative.

Mr. Prather, on leave, offered the following resolution:

Resolved, That the Auditor of State be required, when he makes his annual report, to show what amount of mileage was paid each member of the General Assembly.

Which was,

On motion by Mr. Gooding,

Ordered to be made a joint resolution;

And thereupon said joint resolution was read a first time and ordered to a second reading.

Mr. Kinney, on leave, introduced

No. 271. A joint resolution relative to the claims of Col. Francis Vigo, late a citizen of Knox county, Indiana.

Which was read three several times, the rules being suspended, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Frazer, on leave, made the following report:

MR. SPEAKER:

The select committee to whom was referred bill of the House No. 89, incorporating the "Kosciusko, Elkhart, and Miami Railroad Company," have had that matter under consideration, and have directed me to report the same to the House with sundry amendments, and recommend its passage; and the committee ask to be discharged from the further consideration of the subject.

The amendments to said bill in said report mentioned, are the following:

Amend the 5th section by inserting after the word "company" in the 7th line, the words "a majority of whom shall be citizens and residents of Indiana."

Amend by adding to section 7th, the following: "and five directors shall constitute a quorum to do business."

Amend the 17th section by adding thereto the following words, "provided that no real estate received as stock, shall be sold for less than the price at which the same was so received by said corporation."

Insert the following sections:

SEC. —. Said corporation shall be invested with the corporate privileges by this act conferred, subject to the conditions and limit-

ations herein contained, for and during the term of seventy-five years from the passage of this act.

SEC. —. Said corporation may, either before or after the completion of said main road, build such branches to and from such points as they may desire.

Mr. Neal moved the following amendments:

Amend in the proper place as follows:

That the stockholders shall be individually liable for all the debts of said company, in proportion to the amount of stock that each one holds in said company;

Which was,

On motion by Mr. Harvey,

Laid on the table.

PETITIONS, ON LEAVE, PRESENTED.

By Mr. Line,

The petition of sundry citizens of Franklin county, praying a change of the present license law;

Which was referred to the select committee heretofore appointed, to whom former petitions on that subject were referred.

By Mr. Dobson,

The petition of sundry citizens of Clay and Owen counties in relation to a certain road therein prayed for;

Which was referred to a select committee of Messrs. Dobson, Bowling, and Lockwood.

By Mr. Little,

A petition for the re-organization of the militia;

Which was,

On motion by Mr. Fuller,

Laid on the table.

By Mr. Gooding,

The petition of sundry citizens of Hancock and Henry counties, praying for the vacation and change of location of certain roads therein named.

Which was referred to a select committee of Messrs. Gooding, Baldwin, and Williams of Madison.

ORDERS OF THE DAY.

No. 150. A bill (House) to incorporate the Clay Cotton Mills,
Was read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

SENATE BILLS ON THIRD READING.

No. 4. An act to incorporate the Franklin Institute of the Richmond University;

No. 13. A joint resolution relative to bounty land warrants;

No. 22. An act to prohibit the sale of spirituous liquors and wines in Henry township, Henry county, Indiana ;

No. 34. An act to vacate certain streets and alleys in the town of Raysville, Henry county ;

No. 35. An act for the relief of Zachariah Collins;

No. 36. An act relative to the practice in the Laporte circuit court ;

No. 43. An act for the relief of Elizabeth Jones, Gibson county;

No. 45. An act to vacate a part of a State road in the county of St. Joseph, Indiana;

No. 48. An act to authorize the clerk of the Carroll circuit court to sell real estate;

No. 56. An act for the benefit of the Union Literary Society;

No. 60. An act to incorporate the Greensburgh Cemetery Association of La Fayette, Tippecanoe county;

No. 61. An act to authorize Ira Bailey to build an arm to the Knightstown and Shelbyville Railroad ;

No. 63. An act to change the name of Lewis Myers, to Lewis Myers Douglas;

No. 68. An act for the relief of the city of Lawrenceburgh ;

No. 81. An act in relation to the organization of the Senate and House of Representatives ;

No. 93. An act to repeal an act entitled "An act to restrict the Grand Jury in Franklin county to a limited time in their sessions;"

No. 96. A joint resolution relative to the Miami Indians;

No. 101. An act in relation to the county records of La Grange county;

Which were each severally read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 38. A bill (Senate) for the relief of the securities of John Plasters, formerly School Commissioner of Miami county ;

Was read a third time, and,

On motion,

Referred to the select committee to whom a petition on the same subject was referred, with instructions to amend by adding to the first section the following proviso :

"Provided, That said extension of payment shall only apply to principal, and not to interest, or other moneys for which said securities, or either of them are liable, which is by law required to be distributed for the use of common schools."

No. 46. A bill (Senate) to amend the act incorporating the Brookville and Cincinnati Turnpike Company ;

Was read a third time, when,

On motion by Mr. Line,

And with the unanimous consent of the House, the name of "Joseph Goodwin" was struck from said bill, and the name of "Joseph Goody" inserted in lieu thereof.

Said bill, so amended, then passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on this day approve and sign bill No. 150, entitled "An act changing the time of holding the probate courts in the counties of Jefferson, Switzerland, and Ohio," which originated in the House of Representatives, January 24th, 1849.

On motion by Mr. Major,

No. 109. A bill (Senate) to amend an act entitled "An act to provide for the continuance of all or any part of the public works of the State by private companies and for abolishing the board of Internal Improvements, and the office of Fund Commissioner," approved January 28, 1842, so far as the same is applicable to the Shelbyville and Edinburgh Railroad,

Was taken up and read a second and third times, the rules being suspended, and passed.

Ordered, That the clerk inform the Senate thereof.

On motion by Mr. Brown,

No. 49. A bill (House) to create the office of Attorney General and to prescribe his duties,

Was taken from the table.

Mr. Dunham moved to refer said bill to a select committee, with instructions to amend the bill so as to have said officer appointed by the judges of the supreme court ;

Which amendment was not adopted.

Mr. Dunham then moved to refer the bill to a select committee, with instructions to amend the same so as to have said Attorney General elected by the people.

On this motion Messrs. Neal and Brown demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blackstone, Campbell, Carr, Chambers, Coble, Cole, Commons, Dimmett, Dobson, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Gooding, Goodman, Gordon, Graham, Hall, Harding, Harlan, Hetfield, Holden, Hunt, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, Miller, Morrison, Neal,

Neff, Nimmons, Orr, Prather, Richmond, Roache, Rulon, Sackett, Short, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimble, Widney, Williams of Knox, Williams of Madison, Winstandley, and Wolf—72.

Those who voted in the negative are,

Messrs. Blythe, Brown, Bryant, Coffin, Dole, Hamilton, Hankins, Harvey, Little, McKinzie, Terry, and Mr. Speaker—12.

So said motion prevailed,

And the bill was referred to a select committee, consisting of Messrs. Dunham, Lowe, and Brown, with instructions to make said amendment.

On motion by Mr. Slater,

The House adjourned till 2 o'clock P. M.

2 o'clock, P. M.

The House met.

The following message was received from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to wit :

No. 119. An act to improve the Huntington and Goshen State road;

No. 124. An act relative to the time of making reports to the Legislature ;

In all of which the concurrence of the House is respectfully requested.

Said bills were each severally read a first time and ordered to a second reading.

The following message from the Senate was received, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following joint resolution, to wit :

No. 115. A joint resolution on the subject of locating land warrants;

The Senate have also passed the following engrossed bill thereof, to wit ;

No. 116. An act to locate a State road in Posey and Vanderburgh counties ;

In all of which the concurrence of the House is respectfully requested.

The joint resolution and bill in said message mentioned were each read a first time and ordered to a second reading.

A message from the Senate by Mr. Ellis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 90. An act incorporating the Ohio and Mississippi Railroad Company.

Said bill was read a first time and ordered to a second reading.

A message from the Senate by Mr. Davis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed an engrossed bill thereof No. 27, entitled,

No. 27. An act for the benefit of the New Albany and Salem Railroad Company ;

In which the concurrence of the House is respectfully requested.

Said bill was read a first time and ordered to a second reading.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to wit :

No. 69. An act to repeal an act entitled "An act for the relief of the Miami Indians," approved February 3, 1841 ;

No. 111. An act to compel the trustees of the Wabash and Erie canal to allow interest on canal land scrip ;

No. 126. An act to vacate a road in Laporte county, and for the relief of O. P. Ludlow ;

No. 127. An act to amend an act entitled "An act to reduce the tolls on the New Albany and Vincennes road, and for other purposes ;"

No. 128. An act to correct a misprint in a certain act therein named ;

No. 129. An act to authorize Isaac Hiftner and others to build a mill dam across the Salamonias river ;

No. 132. An act for the relief of Lawrenceburgh township, in Dearborn county ;

No. 133. An act to authorize the county of Laporte to borrow money and levy an additional tax ;

No. 134. An act for the benefit of the recorder of Monroe county ;

In all of which the concurrence of the House is respectfully requested.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House to bill of the Senate entitled,

No. 114. An act to amend an act entitled "An act to incorporate the White Water Valley Canal Company," approved January 20, 1842.

The bills in said message mentioned were each severally read a first time and ordered to a second reading.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to wit :

No. 100. An act to amend the record of the town of Huntington ;

No. 110. An act to incorporate the Junction Railroad Company ;

No. 138. An act levying a road tax in the township of Union, in St. Joseph county ;

In all of which the concurrence of the House is respectfully requested.

The bills in said message mentioned were each severally read a first time and ordered to a second reading.

Mr. Cookerly, on leave, offered the following resolution :

Resolved, That the judiciary committee be instructed to report a bill organizing probate circuits.

Mr. Cookerly moved a call of the House ;

Which was seconded.

Messrs. Hankins and Kinney were excused from attendance, and,

On motion,

The further call was suspended.

Mr. Dunham moved to amend the resolution offered by Mr.

Cookerly by striking out from the resolving clause, and inserting for a substitute the following :

"That the judiciary committee be instructed to report a bill establishing what is known as the 'Surrogate system.'"

Mr. Dole proposed the following amendment to the amendment, and which was accepted by Mr. Dunham :

"*Provided, however,* That in such counties where the number of polls are less than two thousand, the clerk of the circuit court shall hold ex-officio the office of surrogate."

And pending further proceedings thereon,

On motion by Mr. Lowe,

The House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, JANUARY 25, 1848.

The House met.

On motion by Mr. Neff,

Leave of absence was granted Mr. Bowling.

The Speaker announced that the standing committee on manufactures and commerce would consist of Messrs. Kinney, Rulon, Neff, Sullivan, Williams of Madison, Covington, and Sackett.

The Speaker laid before the House the report of the superintendent of common schools ;

Which was,

On motion by Mr. Line,

Laid on the table, and 500 copies ordered to be printed.

The Speaker also laid before the House the following communication from the State Printer :

INDIANAPOLIS, January 24, 1848.

HON. W. A. PORTER,

Speaker of the House of Representatives :

It is impossible for me to print the Governor's message in the German and French previous to the adjournment of the Legislature, which fact please communicate to the House.

Yours, &c.,

JOHN D. DEFREES,

State Printer.

Mr. Stanton, on leave, offered the following resolution :

Resolved, That a committee of three be appointed to inquire the reason, and report the same to this House, why the Governor's message cannot be printed in the German language before the time of the adjournment of this Legislature.

Mr. Rulon moved to amend the resolution so as to make the same inquiry in regard to the English messages ;

Which amendment was accepted by Mr. Stanton.

Mr Gooding moved to insert "French messages," and also to inquire and report relative to the delay of the English copies of the message.

Which amendment was accepted by Mr. Stanton.

Mr Gooding also moved to amend said resolution so as to authorize said committee to inquire and report why the messages were not printed in time at the last session of the legislature.

Mr. Dunham moved the previous question,

Which was seconded by the House :

And the question then being,

"Shall the main question be now put?"

Messrs. Kinney and Neal demanded the ayes and noes.

Those who voted in the affirmative are :

Messrs. Armstrong, Bryant, Campbell, Carr, Chambers, Cookerly, Danner, Davis, Dimmitt, Dobson, Doyle, Dunham, Ford, Fuller, Goodnow, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Swihart, Thompson of Gibson, Tinbrook, Trimble, Widney, Williams of Knox, Winstandley, and Wolf—51.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Brown, Coble, Coffin Cole, Colip, Commons, Criswell, De Bruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hull, Hunt, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Terry, Thompson of Carroll Williams of Madison, and Mr. Speaker—46

So said question was decided in the affirmative.

And the main question being,

"Shall the resolution be adopted?"

Messrs. Neal and Kinney demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Brown, Bryant, Campbell, Carr, Chambers, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Danner, Davis, De Bruler Dimmitt, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Gooding, Goodman, Gordon, Graham, Hall, Harding, Harlan, Harvey, Hetfield, Holden, Hunt, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Neal, Nimmons, Norris, Orr, Orton, Parker, Prather, Richmond, Roache, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimble, Widney, Williams of Knox, Williams of Madison, Winsteadley, Wolf, and Mr. Speaker—92.

Those who voted in the negative are,

Messrs. Hamilton, Hankins, Hull, Neff—4.

So said resolution was adopted, and

Messrs. Stanton, Ford and Orton were appointed said select committee.

Mr. Dole moved to re-consider the vote taken on said resolution.

Which motion did not prevail.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following joint resolution of the House, without amendment, to wit :

No. 271. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Dole,

Petition of sundry citizens of Clinton, Vermillion county, praying an act of incorporation,

Which was referred to a select committee of Messrs. Dole, Harvey, and Parker,

By Mr. Dobson,

The petition of John G. Johnson and Henry M. Mayfield, to reconvey certain land therein named;

Which was referred to a select committee of Messrs. Dobson, Short and Richmond.

By Mr. Ford,

The petition of sundry citizens of Jackson and Lawrence counties for a State road therein named,

Which was referred to a select committee of Messrs. Ford, Short, Lane, and Jones of Bartholomew.

By Mr. Lane,

Petition of Stephen Ludlow and Isaac Dunn, on the subject of vacating certain additions to the town of New Lawrenceburgh;

Which was referred to a select committee of Messrs. Lane, Campbell, and Slater.

By Mr. Campbell,

The petition of Matilda Garriott for a divorce from her husband James W. Garriott;

Which was referred to the judiciary committee.

By Mr. Meredith,

The petition of sundry citizens of Wayne county for a law to prevent the sale of spirituous liquors;

Which was referred to a committee heretofore appointed on that subject.

By Mr. Rulon,

The petition of sundry citizens of Jay for a law limiting the fees of the auditor of said county;

Which was referred to the judiciary committee.

By Mr. Dole,

Petition of the Wabash and Erie Canal Company;

Which was referred to the judiciary committee.

By Mr. Hall,

Petition of sundry citizens of Elkhart county for the repeal of a certain portion of the charter of the Buffalo and Mississippi Rail Road Company;

Which was referred to a select committee of Messrs. Hall, McDonald, Hunt, Orton, Miller, Nimmons, Widney, and Frazer.

By Mr. Bryant,

Petition of E. F. Lucas for compensation for loss sustained by the abstraction of scrip from the land office;

Which was referred to the committee on claims.

By Mr. Dobson,

The petition of William McGee for a divorce;

Which was laid on the table.

By Mr. Coffin,

Petition of sundry citizens of Henry county to re-establish a certain road therein named:

Which was referred to a select committee of Messrs. Harlan, Coffin, Orr, Meredith, and Richmond.

By Mr. Orr,

Remonstrance from Delaware county against changing a certain State road;

Which was referred to the same committee heretofore appointed on that subject.

By Mr. Rulon,

Memorial of Jacob Emshiveller for relief;

Which was referred to the committee on claims.

By Mr. Slater,

The petition of sundry citizens of New Alsace praying the legislature to give a meaning to the term common school;

Which was referred to the committee on education.

By Mr. Williams of Madison,

Petition of sundry citizens of New Columbus, in Madison county, for an act of incorporation;

Which was referred to the committee on corporations.

By Mr. Brown,

Petition of the Secretary of State for an examination into his official conduct;

Which was referred to a select committee of Messrs. Harvey, Short, Meredith, Lowe, Dole, Sullivan, and Blythe.

By Mr. Jones of Switzerland,

Petition of Adam Cole, Z. Montague, R. Kirkpatrick, and Isaac Philips, for relief;

Which was referred to the committee on ways and means.

By Mr. Mills,

Petition to authorize Avery Allyn to make a deed to a certain tract of land;

Which was referred to a select committee of Messrs. Mills, Kennard, and Chambers.

By Mr. Nimmons,

Petition of sundry citizens of the county of Lagrange and Noble in relation to the road law;

Which was referred to the committee on roads.

By Mr. Jones of Bartholomew,

A remonstrance of sundry citizens of Haw creek township, Bartholomew county, against the school law as provided by the Convention of May last;

Which was referred to the committee on education.

By Mr. Bryant,

Remonstrance of John Anderson & Co., against the draw bridge at Covington, Fountain county;

Which was laid on the table.

By Mr. Harlan,

Petition of B. F. Wallace, and 234 others of the county of Grant, for the repeal of some of the provisions of the law granting licenses to grocery and tavern keepers;

Also, petition of Mark Overshal and others, on the same subject;

Which were referred to a committee heretofore appointed on that subject.

On motion by Mr. Winsteadley,

Mr. Harlan was added to said committee.

By Mr. Brown,

Petition of sundry citizens of Hendricks, Morgan, and Marion counties, to compel millers to grind for customers and reduce the amount of toll;

Which was referred to the committee on commerce and manufactories.

By Mr. McDonald of Lake,

Petition of C. W. Brown of Laporte county, for relief against the county of Lake;

Which was referred to the committee on claims.

By Mr. Brown,

Petition of the city council of Indianapolis for leave to levy a tax &c., for the purchase of a fire engine;

Which was referred to the committee on the affairs of the town of Indianapolis.

By Mr. Hall,

Petition of sundry citizens of Elkhart county for an amendment of the execution laws;

Which was referred to the judiciary committee.

On motion by Mr. Dole,

No. 56. An act to provide for the improvement of common schools;

Was taken from the table and referred to the committee on education.

On motion,

The House adjourned until 2 o'clock, P. M.

2 O'clock, P. M.

The House met.

PETITIONS WERE PRESENTED.

By Mr. Neff,

The petition of Wm. Riger and others, of Randolph county, in relation to a railroad charter;

Which was laid on the table.

By Mr. McKenzie,

The petition of Wm. H. Shields, and David M. Jones, to vacate certain lots and streets in Greencastle;

Which was referred to a select committee of Messrs. McKenzie, Smiley, and Dimmett.

By Mr. Major,

The petition of Lucius W. Ormsbee praying a divorce ;
Which was laid on the table.

By Mr. Jones of Switzerland,

The petition in relation to the school funds and auditor's fees in Switzerland county ;

Also, a remonstrance against any increase in the auditor's fees in said county ;

Both of which were referred to the committee on trust funds.

By Mr. Neff,

The petition on the subject of land limitation and homestead exemption ;

Which was referred to the committee on the judiciary.

By Mr. Thompson of Carroll,

The petition of Susan Jack praying for a divorce ;
Which was laid on the table.

By Mr. Richmond,

The memorial of T. P. Albertson, asking for an act incorporating a Hydropathic Infirmary ;

Which was referred to the committee on corporations ;

By Mr. Thompson of Carroll,

The petition to make the side cut, constructed by the Delphi Storage and Forwarding Company at Delphi, a part of the Wabash and Erie canal ;

Which was referred to the committee on canals and internal improvements.

By Mr. Commons,

The petition for conferring exclusive jurisdiction to justices of the peace in certain cases ;

Which was referred to a select committee heretofore appointed on the subject.

By Mr. Lowe,

The petition of S. Spanville, and others of Brown county, relative to auditors' fees ;

Which was referred to a select committee heretofore appointed on the subject of fees of county officers.

Mr. Robinson made the following report :

MR. SPEAKER :

The committee on elections to whom was referred the certificates of election of the respective members, have directed me to report that they have examined the same, and find that the following named persons were duly elected representatives to this House, on the first Monday in August last, except Jesse Baldwin, who was elected by special election, on the 27th of November last, and Morrison Rulon, who was elected on the 29th of November last, and in pursuance of the laws of this State, from the several counties of this State, to-wit :

- From the counties of *Adams and Wells*—David McDonald ;
 From the county of *Allen*—Peter Keiser, and Christian Parker ;
 From the counties of *Benton, White, Pulaski, and Jasper*—David Mc-
 Connel ;
 From the county of *Boon*—Hiram Blackstone, and Stephen Neal ;
 From the counties of *Blackford and Jay*—Morrison Rulon ;
 From the county of *Bartholomew*—Charles Jones ;
 From the county of *Carroll*—Thos. Thompson ;
 From the county of *Clark*—John H. Sullivan, and Thomas Carr ;
 From the county of *Cass*—Corydon Richmond ;
 From the county of *Clay*—Elias Bowling ;
 From the counties of *Clinton and Tipton*—Thos. Kennard ;
 From the county of *Crawford*—John Coble ;
 From the county of *Daviss*—E. S. Terry ;
 From the county of *Dearborn*—Richard B. Slater, and George W
 Lane ;
 From the county of *Decatur*—Philander Hamilton ;
 From the counties of *DeKalb and Steuben*—J. P. Widney ;
 From the county of *Dubois*—Benj. T. Goodman ;
 From the county of *Delaware*—Samuel Orr ;
 From the county of *Elkhart*—Horace H. Hall ;
 From the county of *Fayette*—Thos. H. Hankins, and S. Little ;
 From the county of *Franklin*—John B. Campbell, and B. B. Line ;
 From the county of *Floyd*—John B. Winstandley ;
 From the counties of *Fulton and Marshall*—John J. Shryock ;
 From the county of *Fountain*—Solomon Hetfield ;
 From the county of *Gibson*—George W. Thompson ;
 From the county of *Grant*—Andrew J. Harlin ;
 From the county of *Green*—Stephen H. Lockwood ;
 From the county of *Hendricks*—J. S. Harvey ;
 From the county of *Hamilton*—Samuel H. Colip ;
 From the county of *Henry*—Jesse W. Baldwin, Samuel Coffin ;
 From the county of *Hancock*—David S. Gooding ;
 From the counties of *Huntington and Whitley*—Henry Swyhart ;
 From the county of *Harrison*—William A. Porter ;
 From the county of *Jennings*—H. Prather ;
 From the county of *Jackson*—John L. Ford ;
 From the county of *Jefferson*—Fabius Hull, John Chambers ;
 From the county of *Johnson*—Isaiah M. Norris ;
 From the county of *Knox*—James D. Williams ;
 From the county of *Kosciusko*—James S. Frazer ;
 From the counties of *Lagrange and Noble*—William H. Nimmous ;
 From the county of *Laporte*—Miron H. Orton and F. W. Hunt ;
 From the county of *Laurence*—Samuel W. Short ;
 From the counties of *Monroe and Brown*—J. B. Lowe ;
 From the county of *Martin*—John P. Davis ;
 From the county of *Madison*—R. N. Williams ;
 From the county of *Marion*—Samuel Harding and Harvey Brown ;
 From the county of *Morgan*—O. R. Dougherty ;

From the county of Miami—A. A. Cole ;
From the county of Montgomery—A. W. Armstrong and J. W. Dimmet ;
From the county of Monroe—
From the county of Orange—James Dannar ;
From the county of Owen—James W. Dobson ;
From the county of Ohio—Samuel F. Covington ;
From the county of Pike—James C. Graham ;
From the county of Parke—A. S. Roache and William Tinbrook ;
From the county of Putnam—W. H. Albin, W. A. McKinzie ;
From the counties of Porter and Lake—A. McDonnald ;
From the county of Perry—E. Sacket ;
From the county of Posey—P. Mills and Adam Lichteberger ;
From the county of Ripley—D. Criswell ;
From the county of Rush—Wm. C. Robinson and John M. Huddleson ;
From the county of Randolph—H. H. Neff and A. Stone ;
From the county of Scott—A. A. Morrison ;
From the county of St. Joseph—William Miller ;
From the counties of Switzerland and Ohio—Charles T. Jones ;
From the county of Shelby—William Major ;
From the county of Spencer—Thomas F. De Bruler ;
From the county of Sullivan—Benj. Wolf ;
From the county of Tippecanoe—Thomas Smily, P. McCormic, and John Doyle ;
From the county of Union—Daniel Trimble ;
From the county of Vermillion—Wm. P. Dole ;
From the county of Vigo—Grafton F. Cookerly, A. Kinney, and S. S. Holden ;
From the county of Vanderburgh—James E. Blythe ;
From the county of Washington—George May and C. L. Dunham ;
From the county of Warrick—Isam Fuller ;
From the county of Warren—James R. M. Bryant ;
From the county of Wayne—Sol. Meredith, R. Gordon, David Commons, and Stephen B. Stanton.

Mr. Robinson made the following report :

MR. SPEAKER :

The committee on elections to whom was referred House bills Nos. 44 and 65 have had the same under consideration and directed me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the subject.

No. 44. A bill relative to elections in Jackson county ;
 Was read a second time.
 Mr. Dunham moved to indefinitely postpone said bill ;
 Which motion did not prevail.

Mr. Dole moved to lay said bill on the table ;
Which motion did not prevail.

On motion by Mr. Wolfe,
Sullivan county was inserted in said bill.

On motion by Mr. Hamilton,
Decatur county was inserted.

On motion by Mr. Mills,
Posey county was inserted.

On motion by Mr. Dunham,
Washington county was inserted.

Mr. Dole move to refer said bill to the judiciary committee, with instructions to enquire into the constitutionality of confining voters to their own township ;

Pending which,

Mr. Miller moved to lay the bill and amendments on the table.

On this motion Messrs. Ford and Dole demanded the ayes and
noes.

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Chambers, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Dimmett, Dole, Doyle, Frazer, Gooding, Gordon, Hankins, Harding, Harvey, Holden, Hull, Hunt, Jones of Bartholomew, Kinney, Lane, Line, Little, Lockwood, Lowe, Major, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Norris, Orr, Orton, Parker, Richmond, Robinson, Stanton, Stone, Swihart, Trimble, Widney, Williams of Knox, and Mr. Speaker—50.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Carr, Chambers, Coble, Danner, Dobson, Dougherty, Dunham, Ford, Fuller, Goodman, Graham, Hall, Hamilton, Hetfield, Jones of Switzerland, Keiser, Kennard, Lichtberger, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Nimmons, Prather, Roache, Rulon, Sackett, Short, Shryock, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Tinbrook, Williams of Madison, Winstandley, and Wolfe—42.

So said motion prevailed.

No. 65. A bill to allow voters in Morgan county to vote in any township ;

Was read a second time, and,

On motion by Mr. Dobson,
Owen county was inserted in said bill.

On motion by Mr. Dougherty,

The words "other than their own township," was struck from said bill.

On motion by Mr. Terry,

Daviess county was inserted in said bill.

On motion by Mr. Fuller,
Warrick county was inserted.

On motion by Mr. May,
Washington county was inserted.

On motion by Mr. Wolfe,
Sullivan county was inserted.

Mr. Dole moved to lay said bill and amendments on the table.

On this motion Messrs. Neff and Dole demanded the ayes and
noes.

Those who voted in the affirmative are,

MESSRS. Baldwin, Blythe, Brown, Bryant, Campbell, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, De Bruler, Dimmett, Dole, Doyle, Frazer, Gooding, Gordon, Hankins, Harding, Harvey, Hetfield, Holden, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Little, Lockwood, Lowe, Major, McCormick, McConnell, McDonald, of Adams, Meredith, Miller, Morrison, Neal, Neff, Orr, Parker, Richmond, Roache, Robinson, Stanton, Stone, Swihart, Tinbrook, Trimble, Widney, Williams of Knox, and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Chambers, Danner, Davis, Dobson, Dougherty, Dunham, Ford, Fuller, Goodman, Graham, Hall, Hamilton, Keiser, Lichteberger, May, McDonald of Lake, McKinzie, Mills, Nimmons, Norris, Orton, Prather, Rulon, Sackett, Short, Shryock, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Madison, Winstandley, and Wolfe—37.

So said motion prevailed.

Mr. Robinson made the following report :

MR. SPEAKER :

The committee on elections, to whom was referred the papers contesting the seat of Elias Bowling, have had the subject under consideration, and directed me to report that it is inexpedient to act any further on said contest, and ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Bryant made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred a bill to amend the 54th section, article 10th, of 12th chapter of the Re-

vised Statutes of 1843, has had the same under consideration, and instructed me to report the said bill back to the House with a recommendation that it be indefinitely postponed ;

Which was concurred in and said bill was indefinitely postponed.
Mr. Cookerly made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill of the House number thirty-eight, have had the same under consideration, and have directed me to report the same back and recommend that it be indefinitely postponed.

Which was concurred in and said bill was indefinitely postponed.
Mr. McKinzie made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 143, entitled "an act defining the time for presenting complaints to the grand jury of this State, have had the same under consideration, and have directed me to report the same back to the House and recommend its indefinite postponement.

Which was concurred in and said bill was indefinitely postponed.
Mr. McKinzie made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House No. 18, entitled, an act to amend the 137th section of article 3d, chapter 45, of the Revised Statutes of 1843, have had the same under consideration, and have directed me to report the same back to the House without amendment and recommend its passage.

Said bill was read a second time and ordered to be engrossed for a third reading.

Mr. Cookerly moved to reconsider the vote taken on the indefinite postponement of bill

No. 38. A bill to amend the 40th section of the 47th chapter of the Revised Statutes ;

Which motion did not prevail.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 318, to amend the 22d section of the 10th chapter of the Revised

Statutes, in reference to the duties of county surveyors and their deputies, together with the amendments thereto, have had the same under consideration, and have directed me to report the same back, and recommend its indefinite postponement.

Which was concurred in and said bill was indefinitely postponed.
Mr. Blythe made the following report:

MR. SPEAKER :

The judiciary committee, to whom was referred a resolution of the House, instructing said committee to inquire into the expediency of re-appraising land forfeited to the State, &c., have had the same under consideration, and have directed me to report that it is inexpedient to legislate thereon.

Which was concurred in.

On motion by Mr. Cookerly,

The rules were suspended, and Mr. McKinzie, from the committee on education, made a report, and,

On motion,

Fifteen hundred copies were ordered to be printed for the use of the House.

No. 56. A bill to provide for the improvement of common schools, in said report, was read a second time, and,

On motion by Mr. Cookerly,

Said bill was laid on the table and 300 copies ordered to be printed for the use of the House.

Mr. Cookerly, on leave being granted, offered the following resolution :

Resolved, That the House will go into a committee of the whole on the school bill next Monday at 10 o'clock, A. M., and that it be made the especial order of the day for that hour.

Which was adopted.

Mr. Blythe, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred a resolution of the House instructing said committee to inquire whether any change is necessary in the present law, requiring corporate records to be made out by the clerk of the circuit court, have had the same under consideration, and have directed me to report that it is inexpedient to legislate thereon.

Which was concurred in.

Mr. Blythe, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 104, authorizing administrators to administer oaths in certain cases, have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement.

Said bill was then,

On motion by Mr. Cookerly,
Indefinitely postponed.

Mr. Blythe, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred Senate bill No. 30, have had the same under consideration, and have directed me to report the same back without amendment and recommend its passage.

Senate bill No. 30, in said report was then ordered to a third reading.

Mr. Blythe from the judiciary committee made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred several resolutions relative to the execution laws, have had the same under consideration, and a majority of said committee have directed me to report the accompanying bill, and recommend its passage :

No. 272. A bill to amend the execution laws.

Was read a first time and ordered to a second reading.

Mr. Roache from the judiciary committee made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred the petition of the board of commissioners of Pulaski county, have had the same under consideration, and instructed me to report the accompanying bill, and recommend its passage :

No. 273. A bill to provide for a county library in the county of Pulaski, and for other purposes.

Was read a first time and ordered to a second reading.

Mr. Roache from the judiciary committee made the following report:

MR. SPEAKER:

The judiciary committee to whom was referred House bill, No. 7, entitled "An act to impose additional duties on the prosecuting attorneys in the several counties of this State, and for other purposes," have had the same under consideration, and direct me to report the same back to the House, with the following amendments, and recommend its passage.

Said bill in said report mentioned was then,

On motion by Mr. Harvey,

Laid on the table.

Mr. Cole from the judiciary committee made the following report:

MR. SPEAKER:

The judiciary committee to whom was directed a resolution of the House directing them to inquire into the expediency of amending "An act in relation to the service of subpœnas in chancery," approved January 25, 1847, so as to permit service by copy under the same circumstances that summonses at common law are now permitted to be served, have had the subject under consideration, and have directed me to report the accompanying bill and to recommend its passage:

No. 274. A bill to amend an act, entitled "An act in relation to the service of subpœnas in chancery," approved January 25th, 1847;

Was read a first time and ordered to a second reading.

On motion by Mr. Cockerly,

The House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, JANUARY 26, 1848.

The House met.

On motion by Mr. Prather.

The reading of the journal of yesterday was dispensed with.

On motion by Mr. Neal,

Leave of absence was granted Mr. Blackstone.

Mr. Hankins made the following report :

MR. SPEAKER :

A majority of the committee on education, having maturely considered the subject embraced in several petitions from the German citizens of Franklin county, beg leave to submit the following report : That the interests of the German part of our population, as well as those of the entire community, would be seriously injured by the perpetuation of the use of the German language as the ordinary medium of communication among them. Such use would strongly tend to prevent their assimilation in thought, feeling, and habit, in principles and views, to the other portion of our community. But it is plainly to be seen that frequenting schools where the German language is taught, would directly conduce to such perpetuation of a foreign tongue among us, and retard the adoption of our national language and character.

That schools for teaching the German language to their children are not necessary to secure the object which the petitioners profess to have chiefly in view, viz : " To give such school instruction to their children as will enable them when they grow up to perform their civic and religious duties." This is certainly an unexceptionable object to aim at, and deserves aid in accomplishing it. We cannot perceive how instructing " their children in their mother language " is at all essential to the attainment of such knowledge as will fit them to act their parts in the community whose general language is the English, and whose laws and general affairs are recorded in the same. Nor can we doubt that all the knowledge important to fit them for religious duty can be found in books composed or translated in English. Indeed, however well the German language might serve to convey to them religious knowledge, it cannot, we think, admit of a doubt that the want of familiarity with the English language, which would result from their attendance at schools where the German was the only language taught, would in a great degree prevent their children when grown up from a thorough understanding of their civic duties.

That it would, in our view, be a much more direct and efficient method of securing the whole of their professed object, to send their children to the common public schools where the English is taught. We, therefore, report that, in our opinion, it is inexpedient to legis-

late on the subject, and ask to be discharged from the further consideration of the matter ;

Which was concurred in.

Mr. Hull made the following report :

MR. SPEAKER :

The committee on the affairs of the State prison to which was referred a resolution of the House instructing them to inquire whether the lessee had not violated his contract with the State by working the prisoners outside the walls of the prison, by inflicting corporeal punishment upon them contrary to law, and by engaging them in mechanical and other employment, coming in direct competition with the laborers and mechanics of Jeffersonville ; and also, the report of the Warden of the State prison in relation to the occupation of the guard-house by the lessee of said prison, made in reply to a resolution of the House, and referred to said committee, have had those matters under consideration, and have instructed me to report the following as the result of their investigations :

1st. We find that the lessee has in several instances worked the convicts outside of the walls of the prison ; but your committee unanimously are of opinion that he was compelled to do so by unavoidable necessity, occasioned by the non-fulfilment of the contract on the part of the State in the completion of the new prison buildings. Since the completion of those buildings, the convicts have all, with but an occasional exception, been worked within the walls and upon the premises owned by the State.

2d. Your committee find that the lessee has, in some three or four instances, inflicted, what may strictly be termed corporeal punishment, upon the convicts ; but in each of the cases alluded to, the infliction of the punishment was either absolutely necessary to be done at the time (the warden being absent,) or was of so trifling a character as to be unworthy of any particular notice.

3d. In relation to the inquiry, as to whether the lessee "has engaged the convicts in mechanical and other employment coming in direct competition with the laborers and mechanics of Jeffersonville," your committee would state, that they do not find that the lessee has employed the convicts in pursuits *interfering with the mechanical business of the immediate neighborhood*, which is all the law requires of the lessee in this particular.

4th. The report of the warden, referred to this committee, sets forth that the guard house is occupied by the lessee, as a family residence ; this your committee find to be true ; but are of opinion that by the provisions of the act leasing the State prison, the lessee has the right to occupy the building in this manner. It does not appear that any injury arises from the occupation of the guard house by the family of the lessee, while it is a matter of convenience to the guards, on account of their being enabled to board in

his family. The inconvenience which the warden has at present to encounter, owing to his being compelled to reside in Jeffersonville, at a distance from the prison, cannot be of long duration, as the buildings for the use of the warden and lessee are rapidly progressing to their completion, and will be ready for their occupation early in the ensuing summer.

In conclusion, your committee, in view of the premises, would state, that there has been no substantial infraction of the law regulating the duties of the lessee; that in the few cases where the strict letter of the law has not been complied with, the same occurred under unavoidable circumstances; in none of which cases had either the public interest, or the internal police of the prison suffered; your committee, therefore beg to be discharged from the further consideration of these subjects.

Which was concurred in.

Mr. Smiley made the following report:

MR. SPEAKER:

The committee on claims to whom was referred the petition of Martin Fitzpatrick of Daviess county, asking allowance for labor by him performed on the Vincennes and New Albany McAdamized road in the year 1838, have had that matter under consideration, and with the exception of Mr. Slater, and Mr. Albin, who dissented, have directed me to report that there has not been sufficient evidence in support of said claim to authorize the allowance of the same, and respectfully ask the concurrence of the House in the same.

Which was,

On motion by Mr. Terry,

Laid on the table.

Mr. Smiley made the following report:

MR. SPEAKER:

The committee on claims to whom was referred the petition of Seth M. Leavenworth, administrator of the estate of Eban D. Edson, deceased, asking an allowance for services performed by said decedent as prosecuting attorney of the 4th judicial circuit, have had that matter under consideration and directed me to report against making said allowance, and request the concurrence of the House in the same.

Which was concurred in.

Mr. Smiley made the following report:

MR. SPEAKER :

The committee on claims to whom was referred No. 136, a bill for the relief of S. & J. Bottorf, have had that matter under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage.

Said bill was read a second time and ordered to be engrossed for a third reading.

Mr. Smiley made the following report :

MR. SPEAKER :

The committee on claims to whom was referred the petition of Syria Aldrich of Warren county, asking for relief, have had that matter under consideration, and have instructed me to report against granting the prayer of said petition, in which they respectfully ask the concurrence of the House.

Which was concurred in.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the petition of Hiram Mathews, asking a certain change in the present road law, have had the same under consideration, and have directed me to report it inexpedient to legislate on the matter therein contained, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads to whom was referred bill No. 108, providing for certain amendments to the present road law, have had the same under consideration, and have directed me to report it back and recommend its indefinite postponement, and ask to be discharged from the further consideration of the subject.

Which was concurred in, and said bill,

No. 108. A bill providing for the survey and record of roads,
Was indefinitely postponed.

Mr. Harlan, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bill, and find the same correctly enrolled, to wit:

No. 9. An act granting to the citizens of Rising Sun a city charter.

Whereupon the Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate, for the signature of the President thereof.

Mr. Chambers made the following report :

MR. SPEAKER :

The committee on agriculture to whom was referred the petition of George Green and others relative to the law regulating partition fences, have had the same under consideration and directed me to report the following bill, and recommend its passage :

No. 275. A bill to repeal an act therein named, and for other purposes.

Which was read a first time and ordered to a second reading.

Mr. Criswell made the following report :

MR. SPEAKER :

The committee on agriculture to whom was referred bill No. 114 of the House, entitled "A bill to authorize the inspection of hay in the several counties of this State," have had the same under consideration, and directed me to report it back to the House and respectfully recommend its passage.

Said bill was read a second time and ordered to be engrossed for a third reading.

Mr. Brown made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions, to whom was referred so much of the Governor's message as relates to houses of refuge, have had the subject under consideration and directed me to make the following report :

The committee approve of the suggestions of the Governor, and believe that houses of refuge could be established so as to be of advantage in suppressing that class of crime and reforming those persons intended to be subjects of such houses.

The committee would suggest that when such houses are provided

that they should be built in the several counties in connexion with the asylums for the poor on the poor farms, so that the superintendant of such asylums have the control of these houses, thus removing the subjects of these houses as far as may be from the jails and older offenders in the several counties, that reformation could be more easily effected.

The committee are, however, satisfied that the building and appointments of such houses would require a large expenditure of money, and that the finances of the State are not now in such a situation as to justify the present General Assembly in enacting a law to carry the Governor's recommendation into effect.

The committee therefore report that it is inexpedient at this time to legislate upon this subject, and respectfully ask to be discharged from the further consideration of this subject.

Which was concurred in.

Mr. Meredith, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred that part of the Governor's message that relates to petty offences, have had the same under consideration and directed me to report a bill and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

No. 276. A bill to amend the 5th and 6th sections of the 1st article of the 55th chapter of the Revised Statutes of 1843, regulating the jurisdiction of Justices of the Peace in criminal cases ;

Was read a first time and ordered to a second reading.

Mr. Fuller made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Anderson township, of the county of Warrick, in relation to the change of a State road running through said township, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 277. A bill to authorize the alteration of a certain road therein named ;

Was read a first time and ordered to a second reading.

Mr. Jones, of Switzerland, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Perret Dufour and others, citizens of Switzerland county, praying for a law authorizing the trustees of the several townships in said county to apply the labor and road tax to the purpose of McAdamizing the roads in their several townships, and for other purposes, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 278. A bill to improve the roads in the county of Switzerland ;

Was read a first time and ordered to a second reading.

Mr. Dobson made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill No. 103, "A bill in relation to the fees of the Treasurer of Owen county in cases," with instructions, have had the same under consideration, and have directed me to report the same back with the following amendment and recommend its passage :

Amend by striking out all after the word " passage," in the 3d section, and insert the following :

"And a copy hereof shall have been filed in the clerk's office of said county, and it shall be the duty of the Secretary of State to forward a copy of this act to the clerk of said county immediately."

Which amendments were concurred in, and said bill, as amended, was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dobson made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of John G. Johnson and Henry M. Mayfield, of Owen county, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 279. A bill to authorize John G. Johnson, of Owen county, to correct a mistake in a certain deed.

Said bill was read a first time and ordered to a second reading.

Mr. Ford made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition praying a

change of a certain state road therein named, in the county of Jackson, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 280. A bill to change a certain State road therein named, in the county of Jackson.

Which was read a first time and ordered to a second reading.

Mr. Ford made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition praying a change in a portion of the State road leading from Madison, in Jefferson county, to Bloomington, in Monroe county, have had the same under consideration, and directed me to report the following bill and respectfully recommend its passage :

No. 281. A bill to change a certain State road therein named, in Jackson county.

Said bill was read a first time and ordered to a second reading.

Mr. Ford made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Lawrence, Brown, Jackson, and Bartholomew counties, praying the location of a certain State road therein named, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 282. A bill to locate a certain State road therein named.

Said bill was read a first time and ordered to a second reading.

Mr. Dimmett made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Montgomery, Tippecanoe, and Fountain counties, have had the same under consideration and directed me to report the following bill and recommend its passage :

No. 283. A bill to incorporate the Council Grove Minute Men.

Said bill was read a first time and ordered to a second reading.

Mr. Sullivan, from a select committee, made the following report:

MR. SPEAKER:

The committee to whom was referred the communication of Capt. Lemuel Ford, of the United States Army, beg leave to report, that

they called upon Capt. Ford, and accepted, on behalf of the State, the curiosities presented by Capt. John S. Simonson, of the United States Army, in Mexico, to this State, by the politeness of Captain Ford. They consist of one ancient coat of armour and cap, three volumes of books, two engravings, and a portrait of De Cassia. The committee also report the following joint resolution, and respectfully recommend its passage:

No. 284. A joint resolution of thanks to Capt. John S. Simonson and Capt. Lemuel Ford.

Said joint resolution was read three several times, the rules being suspended, and pending the question of its passage.

On motion by Mr. Cookerly,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met.

No. 284. A joint resolution of thanks to Capt. John S. Simonson and Capt. Lemuel Ford,

Which was pending at the last adjournment,

Was taken up.

On motion by Mr. Blythe,

And with the unanimous consent of the House, the following was added to said joint resolution :

Be it further resolved, That the success of our arms, and the gallantry and patriotism of our officers and soldiers in Mexico should be held in grateful remembrance by the people of Indiana, and cause us to be proud of our citizen soldiers.

On the question of the passage of said joint resolution as amended, Messrs. Meredith and Neal demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Brown, Bryant, Campbell, Carr, Chambers, Coble, Cole, Cookerly, Criswell, Danner, Davis, Dimmett, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Goodman, Graham, Hall, Harding, Harlan, Harvey, Holden, Hetfield, Hull, Hunt, Jones of B., Jones of S., Keiser, Kennard, Lane, Lichteberger, Line, Lockwood, Major, May, McConnell, McCormick, McDonald of L., McKinzie, Miller, Mills, Morrison, Neal, Nimmons, Norris, Orton, Parker, Prather, Richmond, Roache

Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Stanton, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Trimby, Williams of K., Williams of M., Winstandley, Wolf, and Mr. Speaker—78.

Those who voted in the negative are,

Messrs. Coffin, Commons, Gordon, Hamilton, Hankins, Little, Meredith, Neff, and Stone—9.

Mr Gooding, on being called, refused to vote.
So said joint resolution passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamilton, on leave, presented the memorial of William H. Fatham, of Decatur county, impeaching the official conduct of Gwin W. Madison;

Which was referred to the committee on the judiciary.

Mr. Stanton made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Joseph Holman, and also Senate bill, No. 38, for the relief of the securities of John Plaster, late school commissioner of Miami county, have attended to this duty, and instructed me to report the same back to the house, amended by adding to the first section of said bill the following proviso :

Provided, That said extension of the time of payment shall only apply to the principal, and not to the interest, or other moneys for which said security or securities, or either of them, are liable, which is by law required to be distributed for the use of common schools.

Which amendment is in accordance with the instruction given to your committee.

Said amendment was concurred in ;

And said bill was read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Lane made the following report :

MR. SPEAKER :

The select committee to whom was referred a resolution of this House, instructing said committee to inquire into the expediency of reporting a bill on the subject therein named, have had the same under consideration, and instructed me to report the following bill and recommend its passage :

No. 295. A bill repealing the law in certain counties authoriz-

izing the clerk to receive pay for extra services, and explanatory of the present law with regard to costs in State cases ;

Said bill was read a first time and ordered to a second reading.

Mr. Dobson made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Clay and Owen counties, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 286. A bill to locate a State road in the counties of Clay and Owen ;

Said bill was read a first time and ordered to a second reading.

Mr. Stanton made the following report :

MR. SPEAKER :

The select committee of three to whom was referred a resolution (No. 2,) requiring them to inquire into the expediency of amending article 11, of chapter 30, of Revised Statutes of 1843, have had that subject under consideration, and directed me to report the following bill in accordance with the tenor of said resolution, which we herewith submit, and recommend its passage :

No. 287. An act to amend article 11 of chapter 30, of the Revised Statutes of 1843 ;

Said bill was read a first time and ordered to a second reading.

Mr. McDonald of Adams, made the following report from a select committee :

MR. SPEAKER :

The select committee to whom was referred the petition of Joseph Davis and others, praying for the appointment of commissioners to locate a certain State road in the counties of Allen and Wells, have had that subject under consideration, and directed me to report the following bill and recommend its passage, viz :

No. 288. A bill to locate a State road in the counties of Allen and Wells ;

Said bill was read a first time and ordered to a second reading.

Mr. Winstandley made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sun-

dry citizens of Floyd county for the passage of a law that shall confer on the proper authorities of said county the right to grant licenses to vend ardent spirits in less quantity than a quart; and also the remonstrance of sundry citizens of said county against the prayer of said petition, have had the same under consideration, and instructed me to report the following bill, and respectfully ask its passage:

No. 289. A bill to regulate the sale of spirituous liquors in the county of Floyd;

Said bill was read a first time and ordered to a second reading.

Mr. Line made the following report:

MR. SPEAKER:

The committee to whom was referred petitions of sundry citizens of Franklin county, praying for an amendment of the charter of a turnpike road from Harrison, in Dearborn county, to Brookville, in Franklin county, have had the same under consideration, and beg leave to report that they have made most diligent search among the general and local laws extending several years back, and they cannot find the charter alluded to in the petitions; they therefore, for the purpose of meeting the wishes of the petitioners, would report the following bill and recommend its passage:

No. 290. A bill incorporating the Harrison, New Trenton, and Brookville Turnpike Company.

Said bill was read a first time and ordered to a second reading.

Mr. Stanton made the following report:

MR. SPEAKER:

The committee to whom was referred the resolution relative to the reason why the message of the Governor cannot be printed before the adjournment of this Legislature, ask leave to report the language of the State Printer as their report, as follows:

STATE JOURNAL OFFICE,)
January 26th, 1848.)

HON. MR. STANTON,

Chairman of Committee of the House:

In answer to the resolution of the House in relation to printing the Governor's Message in the English, French, and German languages, the undersigned respectfully replies:

1st. The law requires that the Governor's Message shall be placed in the Journal of each House and in the Documentary Journal. To save money to the State, it is provided by law that but one compo-

sition shall be charged, and, consequently, the same type upon which the extra Messages are printed must go into the above forms. That the message could be put in the proper place, the Journals had to be printed up to the day of its delivery, as otherwise the folios could not be properly arranged.

The message was not delivered until the third week of the session, and, previous to its delivery, many documents (and some of them of great length) were ordered. Printing these documents kept the journals back as a matter of course. The Senate Journal makes about one hundred pages, and the House Journal one hundred and twenty pages up to the delivery of the Message, so that some idea may be formed, even by those who know but little about printing, of the great extent of work necessary to be done before the Message could be printed.

This has all been accomplished, however, and the message, in English, is now at the binder's to be folded, and will be delivered to-day or to-morrow.

We venture the assertion, and are ready to submit it to a committee of practical printers, that such are our facilities for expeditious printing, that a greater amount of work cannot be done in any other establishment in the western country, in the same length of time, than has been done in this office the past six weeks. The press-work of the message alone, (being 136 tokens,) could not be done on any other press in the country in two weeks.

2d. There is not a font of German type in the city, nor is there a compositor, who understands the language, to set it up if we had the type. The message in the German must be printed at Cincinnati, and it cannot be done there previous to the adjournment.

There is no person in the city competent to translate the message into the French. This must be done at Vincennes, where it was done last year, and it cannot be done previous to the adjournment.

Heretofore, when similar orders have been made, *even at the commencement of the session*, my predecessor, (by reason of the same cause,) has been unable to furnish them until several weeks after the adjournment, and it is not to be presumed that they can now be furnished in one-half the usual time.

My object in giving the information to the House that they could not be printed previous to the adjournment, was that it might make such arrangements as the members saw proper to receive them after the adjournment, as I presumed they would be unwilling to pay the postage if sent through the mails.

Respectfully, &c.,

JOHN D. DEFREES,
State Printer.

Mr. McDonald, of Lake, make the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of cer-

tain inhabitants of congressional township number thirty-two north, of range ten west, relative to the sale of their school lands, have had the same under consideration, and directed me to report the following bill and recommend its passage, and ask, &c.:

No. 291. A bill to authorize the voters of congressional township No. 32 north, of range 10 west, to sell their school lands.

Said bill was read a first time and ordered to a third reading.

Mr. Harlan, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of Eli Overman, and others, praying the re-location of a part of the Richmond and Logansport State road in the county of Delaware, have had the same under consideration, and directed me to report the following bill, and recommend its passage, viz :

No. 292. A bill to re-locate a part of the Richmond and Logansport State road in the county of Delaware.

Said bill was read a first time and ordered to a second reading.

Mr. Kennard made the following report :

MR. SPEAKER ;

The select committee to whom was referred the petition of sundry citizens of Clinton and Howard counties, praying for a State road, have had the same under consideration, and have directed me to report the following bill, and respectfully recommend its passage :

No. 293. A bill to locate a State road therein named ;

Said bill was read a first time and ordered to a second reading.

Mr. Parker made the following report :

MR. SPEAKER :

The select committee to who was referred the petition of B. W. Oakly and others, praying for the location of a State road in Allen and De Kalb counties, have had the same under consideration, and instructed me to report the following bill and recommend its passage :

No. 294. A bill to locate a State road in Allen and De Kalb counties ;

Said bill was read a first time and ordered to a second reading.

Mr. Brown made the following report :

MR SPEAKER :

The select committee to whom was referred bill No. 49, of the

House, with instructions so to amend said bill as to make the officer therein named elective by the people, report that they have performed the duty assigned, and herewith present the bill as amended pursuant to said instructions—all which is respectfully submitted :

The amendments, made to said bill No. 49, create the office of Attorney General and prescribe his duties, are the following :

Strike out the first section of the bill and insert the following :

1. That the qualified voters of the State shall elect an Attorney General for the State, on the first Monday in August next, who shall be commissioned by the Governor, and hold his office for the term of three years from the date of his commission, and keep his office at Indianapolis, in Marion county.

2. The clerks of the circuit courts shall certify to the Secretary of State immediately after the votes may be compared in the counties, the number of votes given to each person ; and it shall be the duty of the Governor, within thirty days, to make out a commission to the person who, from the returns, shall have received the highest number of votes.

3. Upon a vacancy happening in said office, from any cause, the Governor shall appoint some suitable person to fill the same until the next annual election, when one shall be elected by the people, as provided in the first section of this act.

Which said amendments were concurred in ;

And said bill was read a third time,

And the question of the passage thereof,

Messrs. Wolf and Orr demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Baldwin, Brown, Cole, Frazer, Gooding, Hamilton, Keiser, Kennard, Orton, Williams of Madison—10.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Blythe, Bryant, Campbell, Carr, Chambers, Coble, Coffin, Commons, Cookerly, Criswell, Danner, Davis, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Fuller, Goodman, Gordon, Graham, Hall, Hankins, Harding, Harvey, Hetfield, Holden, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Lane, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, Meredith, Miller, Mills, Morrison, Neal, Neff, Nimmons, Orr, Parker, Prather, Richmond, Roache, Robinson, Rulon, Sackett, Short, Shryock, Smiley, Stanton, Stone, Sullivan, Swihart, Thompson of Carroll, Tinbrook, Trimble, Williams of Knox, Winstandley, Wolf, and Mr. Speaker—76.

So said bill did not pass.

Mr. Harlan, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared joint resolution of the House No. 271, a joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana, with the engrossed bill and find it correctly enrolled.

Whereupon the Speaker signed the same.

Ordered, That the clerk carry the same to the Senate for the signature of the President.

Mr. Commons made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition regulating the sale of spirituous liquors in the town of Centreville, Wayne county, have had the same under consideration and directed me to report the following bill and recommend its passage :

No. 295. A bill regulating the sale of spiritous liquors in the town of Centreville, in Wayne county.

Said bill was read a first time and ordered to a second reading.

Mr. Commons made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition in reference to the seminary in Wayne county, have had the same under consideration, and have directed me to report the following bill and recommend its passage ;

No. 296. A bill to authorize the board of commissioners to lease the seminary in the county of Wayne ;

Said bill was read a first time and ordered to a second reading.

Mr. Dole made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of Clinton, Vermillion county, praying an act of incorporation, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 297. A bill to incorporate the town of Clinton in Vermillion county ;

Said bill was read a first time and ordered to a second reading.
Mr. Robinson made the following report :

MR. SPEAKER :

The committee on elections to whom was referred House bill No. 34, for the purpose of changing the mode of electing county commissioners in Pike county, have had the same under consideration, and directed me to report the same back to the House and recommend the passage of the same, but do not recommend any change that will make the same a general law, and ask the concurrence of the House in the same.

Said bill was read a second time and ordered to be engrossed for a third reading.

Mr. McKinzie made the following report :

MR. SPEAKER :

WHEREAS, Some members seem disposed to consume the whole time of this House in the discussion of unimportant matters, mostly of party character to the great neglect of the true interests of the people ; and as there is no probability that a prolonged session would be productive of other than a shameful expenditure of the public money, without resulting in the public good ; therefore,

Resolved, That this House will, the Senate concurring, adjourn *sine die* on Monday the 31st.

Which was,

On motion by Mr. Line,

Laid on the table.

On motion by Mr. Terry,

Resolved, That committee on the judiciary be instructed to instruct to inquire into the expediency of providing by law, that it shall be the duty of administrators and executors, in case the heir at law or devisees of their decedents, shall be within age and have no guardian to take in charge all the real estate and lands of such decedents, and receive the issues thereof, and exercise all the rights of guardian in relation thereto : *Provided*, That such issues shall not go into administrations, but shall be applied to the use of such heirs and devisees entitled thereto.

Mr. Lockwood offered the following resolution :

Resolved, That this House will, the Senate concurring therein, adjourn *sine die* on Monday, February the 7th ;

Which was,

On motion,

Laid on the table.

Mr. Winstandley offered the following resolution :

Resolved, That Isaac P. Smith be allowed eighty four dollars and twenty-five cents, balance due him for services rendered the State as superintendent of construction &c. of the new penitentiary at Jeffersonville ;

Which was referred to the committee on claims.

On motion by Mr. Williams of Madison,

Resolved, That the judiciary committee be instructed to inquire into the expediency of providing by law that whenever it shall be necessary for the payment of debts of any decedent, the rents and profits of the real estate of which such decedent shall die seized, shall be received by the administrator or executor of such decedent as other personal property, and applied to the payment of the debts of the estate.

On motion by Mr. Line,

Resolved, That there be a select committee of three appointed whose duty it shall be to ascertain upon what conditions the Governor's message in German may be transmitted from this place to the order of the Representatives, and that they report to this House at their earliest convenience.

The following gentlemen were appointed that committee : Messrs. Line, Dole, and Trimble.

On motion by Mr. Graham,

Resolved, That a special committee be appointed to inquire into the expediency of so amending the present law in relation to county auditors, as to give to the people of each and every county in the State containing 500 polls the right to elect an auditor by direct vote, and that they report by bill or otherwise.

Messrs. Graham, Gooding, and Wolf were appointed said committee.

Mr. Harvey offered the following resolution :

Resolved, That the committee on ways and means inquire into the expediency of so amending the 56th and 57th sections, of chapter 12th of the Revised Statutes of 1843, as to require the county treasurers, immediately after the first day of January in each year, to draw off lists of the delinquent taxes in each township, and furnish a list to a constable in each township respectively, who shall collect the same in the same manner as the same is now collected by the county treasurers, and make return of the same to the county treasurers ; and that said committee report by bill or otherwise ;

Which was not adopted.

Mr. Graham offered the following resolution :

Resolved, That a select committee be appointed to inquire into the expediency of so amending the present revenue laws as to impose a tax on venders of patent medicines; and that they report by bill or otherwise;

Which was not adopted.

On motion by Mr. Terry,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing that in cases where the personal assets of decedents, leaving widows, should not exceed \$150, that it shall not be necessary to grant administration thereof, and that in such cases two appraisers be appointed by the clerks of the several circuit courts, who shall appraise such personal assets, and assign and deliver the same to such widow as of her statutory allowance.

On motion by Mr. Brown,

Resolved, That the committee on claims inquire into the justice of allowing George Youngerman twenty-seven dollars and ninety-eight cents for grading in front of State property, under the ordinances of the city council of the city of Indianapolis.

Mr. Winstandley offered the following resolution :

Resolved, That Samuel M. Bowlin be allowed the sum of five dollars for services in measuring work at the old penitentiary.

Which was referred to the committee on claims.

On motion by Mr. Hamilton,

Resolved, That a select committee of three be appointed with instructions to report a bill reviving substantially the interest law, approved February 1, 1831, making any rate of interest between six and ten per centum legal, which the contracting parties may agree upon in writing.

The following gentlemen were appointed said committee : Messrs. Hamilton, Criswell, and Cole.

On motion by Mr. Hall,

Resolved, That the committee on corporations be instructed to inquire into the propriety and expediency of forming a more liberal and equal plan for obtaining copies of the local laws, which may be wanted before the regular publication of the same, than that which now exists; and to report by bill or otherwise.

Mr. Prather offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law that no widow of any decedent who refuses to deliver to executor or administrator any of the assets of the estate of such decedent upon demand,

shall be entitled to any part of her statutory allowance of such estate ;

Which was not adopted.

On motion by Mr. McKinzie,

Resolved, That the committee on ways and means be instructed to inquire into what amount of bonds were issued on account of the State bank, and upon what amount the State bank pays interest ; and by what authority the sum of one million and twenty-two thousand dollars in bonds, issued solely on account of the State bank, was transferred to the internal improvement fund ; and that said committee report to this House at as early a day as possible.

On motion by Mr. Brown,

Resolved, That the committee on claims inquire into the justice of allowing John Bishop twenty-eight dollars and sixty-eight cents for graveling in front of the State property, under the ordinance of the city council of Indianapolis.

Mr. Stone offered the following resolution :

Resolved, That the committee on ways and means be instructed to inquire into the expediency of reducing the interest on all benevolent funds to six per cent.; and report by bill or otherwise ;

Which was not adopted.

On motion by Mr. Little,

The House adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING JANUARY 27, 1848.

The House met.

Mr. Little moved a call of the House ;

Which was seconded.

Mr. Kinney was excused from attendance.

On motion by Mr. Hull,

Mr. Covington's leave of absence was prolonged.

The further call was then suspended.

On motion by Mr. Line,

Resolved, That the committee to whom was referred certain matters in relation to the State University, be instructed to inquire into the expediency of so changing its charter as to elect the trustees by the Legislature ; and to report by bill or otherwise.

On motion by Mr. Sullivan,

Resolved, That the committee on scientific and benevolent institutions be instructed to inquire into the expediency of a geological survey of this State.

Mr. Miller offered the following resolution :

Resolved, That the judiciary committee be instructed to inquire into the expediency of so increasing the salaries of the probate judges as to command the services of competent men to discharge the duties of the office, leaving the present probate system in its present situation ;

Which was not adopted.

On motion by Mr. Short,

Resolved, That this House will not entertain any further debate upon the subject of the Mexican war until the last week of this session.

Mr. Gooding offered the following resolution :

Resolved, That the committee on benevolent and scientific institutions be instructed to inquire into the expediency of requiring the physicians of this State to attend without charge on all persons of their vicinity who are or may be sick, and who are not worth more than twenty dollars, exclusive of the necessary wearing apparel of such person and his or her family, and making it an indictable offence for any physician to refuse without a good and sufficient reason therefor.

On motion by Mr. Line,

Said resolution was laid on the table.

On motion by Mr. Brown,

Resolved, That the use of this Hall be tendered to Mr. Dyer, the blind vocalist, for a concert on to-morrow (Friday) evening.

Mr. Gooding offered the following resolution :

Resolved, That the judiciary committee be instructed to report a bill to this House as soon as may be practicable, reducing the usual charges of physicians as such at least thirty-three per cent.

Which was,

On motion by Mr. Frazer,

Laid on the table.

On motion by Mr. Brown,

Resolved, That the committee on claims be instructed to inquire into the justice of allowing Oliver Johnson eighteen dollars and seventy-five cents on a contract for wood with the State officers in consequence of a loss in performing said contract.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that Messrs. Holloway, Zenor, Hardin, Marsh, Beard, Read, and Goodnow, have been appointed a joint select committee to act with a similar joint select committee appointed by the House of Representatives, to consider a communication from the Secretary of State on the subject of his official conduct.

JOINT RESOLUTIONS INTRODUCED.

By Mr. Dougherty,

No. 298. A joint resolution of sympathy with Pope Pius IX, for his efforts in behalf of liberal reform in his dominions ;

By Mr. Hunt,

No. 299. A joint resolution in relation to the books and documents of the Indiana Historical Society ;

Which were each severally read a first time and ordered to a second reading.

Mr. Harlan, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled bill of the House with the engrossed bill thereof, and find the same correctly enrolled, viz :

No. 19. An act to repeal an act in relation to horses and jackasses ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate for the signature of the President thereof.

BILLS INTRODUCED.

By Mr. Fuller,

No. 300. A bill to repeal an act giving the right to the voters of Marion county to decide as to authorizing license to retail spirituous liquors in their townships ;

By Mr. Meredith,

No. 301. A bill to incorporate the Cambridge and Milton Turnpike company ;

By Mr. Meredith,

No. 302. A bill relative to the State Library ;

By Mr. Jones of Switzerland,

No. 303. A bill to repeal part of an act entitled "An act to change the time of holding the probate court in Ripley county ;

By Mr. Dunham,

No. 304. An act to repeal a certain act therein named ;

By Mr. Dunham,

No. 305. A bill to authorize Clerks of circuit courts to take and approve certain bonds ;

By Mr. Nimmons,

No. 306. A bill to legalize the acts of the probate judge of Lagrange county ;

By Mr. Williams of Madison,

No. 307. A bill concerning the duties of clerks of the circuit courts in this State ;

By Mr. Major,

No. 309. A bill defining the duties of the county Treasurer of Shelby county ;

By Mr. Lane,

No. 310. A bill for relief in certain cases ;

By Mr. Frazer,

No. 311. A bill providing for the procuring of additional copies of the Revised Statutes of 1843 in the county of Kosciusko ;

By Mr. Holden,

No. 312. A bill in relation to the duties of Auditor of State and Commissioner of Sinking Fund ;

By Mr. Holden,

No. 313. A bill to amend an act entitled "An act concerning free negroes, mulattos, servants, and slaves," approved February 10, 1831 ;

By Mr. McDonald of Adams,

No. 314. A bill to provide for ditching in the counties of Adams and Wells ;

By Mr. Shryock,

No. 315. A bill to incorporate the Peru, Rochester, and South Bend Railroad Company ;

By Mr. Sackett,

No. 316. A bill amending section 453 of the Revised Statutes of 1843, and for other purposes ;

By Mr. Wolfe,

No. 317. A bill in reference to the fees of the clerk of Sullivan county ;

By Mr. Stone,

No. 318. A bill for the relief of Dempsey Linton, of Randolph county ;

By Mr. Hamilton,

No. 319. A bill to explain the meaning of section 110 article 4, chapter 35 of Revised Statutes of 1843 ;

By Mr. Williams of Knox,

No. 320. A bill to reduce the fees of the clerk in the probate court in the county of Knox ;

By Mr. Harlan,

No. 321. A bill to authorize the board of commissioners of the county of Grant to order an election for an additional Justice of the Peace in Center township, and for other purposes ;

By Mr. Goodman,

No. 322. A bill to authorize the board doing county business in the county of Dubois to levy or dispense with a road tax in their discretion ;

By Mr. Dunham,

No. 323. A bill giving associate and probate judges jurisdiction in certain cases ;

By Mr. Brown,

No. 324. A bill in relation to the saline lands in this State ;

By Mr. Bryant,

No. 325. A bill for the relief of Syria Aldrich ;

By Mr. Hall,

No. 326. A bill to amend the 76th section of chapter 15, article 3 of the Revised Statutes of 1843 ;

By Mr. McKinzie,

No. 327. A bill authorizing Samuel Miles, administrator of the estate of Matthew Phipps, deceased, to take a change of venue ;

By Mr. Stanton,

No. 328. A bill relative to the duties of Justices of the Peace ;

By Mr. Thompson of Carroll,

No. 329. A bill for the relief of purchasers of school lands in the counties of Carroll and Clinton ;

By Mr. Orr,

No. 330. A bill to amend the 73d section of chapter seven, Revised Statutes of 1843 ;

By Mr. Lockwood,

No. 331. A bill to authorize county surveyors to administer an oath, and for other purposes.

By Mr. Hall,

No. 332. A bill to provide for the survey and record of roads in Elkhart county ;

By Mr. Hamilton,

No. 333. A bill to authorize the sale of the library in Decatur county ;

By Mr. Line,

No. 334. A bill to continue in force a certain bill, therein named.

By Mr. Harlan,

No. 335. A bill to extend the provisions of a certain act therein named, to the counties of Jay and Blackford ;

By Mr. Thompson of Carroll,

No. 336. A bill to amend chapter 8, and 28, of the Revised Statutes, defining the duties of county recorders, and the preservation of the records of deeds and mortgages ;

By Mr. Hall,

No. 339. A bill to repeal the 4th section of the 47 chapter of Revised Statutes, so far as relates to Elkhart county ;

By Mr Williams of Madison,

No. 340. A bill declaring George W. Bowen successor in office to William Dehority late a justice of the peace in Madison county, Indiana ;

By Mr. Orr,

No. 341. A bill to strike out part of the second section, chapter 63, Revised Statutes of 1843 ;

By Mr. Blythe,

No. 342. A bill to amend an act entitled, "an act regulating the fees and salaries of the several officers and persons therein named;"

Which were each severally read a first time and ordered to a second reading.

By Mr. Terry,

No. 308. A bill for the relief of Thomas M. Gibson and others; Which was read a first and second times, the rules being suspended, and referred to the committee on claims.

By Mr. Cookerly,

No. 338. A bill to change the time for inspectors of elections to make their official returns ;

Which was read a first and second times, the rules being suspended, and referred to the committee on elections.

By Mr. Graham,

No. 337. A bill authorizing Mahala Proffit to discharge the duties of administratrix of her late husband's estate, and act as the guardian of her daughter ;

Which was read three several times, the rules being suspended, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Prather on leave, made the following report :

MR. SPEAKER :

The committee of ways and means to which was referred bill No. 70, entitled a bill authorizing the Madison and Indianapolis railroad company to take stock in other companies, and for other purposes, have had the same under consideration, and have directed me to report it back to the House with the following amendments ; viz :

Strike out from its enacting clause, and insert the following bill :

No. 70. A bill authorizing the Madison and Indianapolis railroad company to take stock in other companies, and for other purposes ;

Was read a second time, and

On motion by Mr. Neal,

The amendment of the committee was laid on the table and 100 copies ordered to be printed for the use of the House.

On motion by Mr. Hull,

No. 44. A bill relative to elections in Jackson county;

Was taken from the table and referred to a select committee of Messrs. Hamilton, Ford, and Dobson.

On motion by Mr. Hamilton,

No. 7. A bill to impose additional duties on the prosecuting attorneys in the several counties of this State, and for other purposes;

Was taken from the table and read a second time.

Mr. Hamilton offered the following amendment:

Amend by adding in the proper place the following section:

SEC. —. The prosecuting attorney of any county shall have the right to appear in and manage all causes taken up to the supreme court, by appeal or otherwise from his proper county, in which causes, he may have had the right *ex officio* to appear in the courts below, of his county, but if the prosecuting attorney, of the proper county, shall fail to enter his appearance in the supreme court, on the calling of the cause, then it shall be the duty of the prosecuting attorney of the county of Marion to enter an appearance, and manage such cause on behalf of the State or party interested.

And pending the question on the adoption of said amendment, Mr. Wolfe moved to indefinitely postpone the bill;

On which motion Messrs. Wolfe and Dimmett demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Chambers, Coble, Danner, Davis, Dobson, Dunham, Ford, Fuller, Harding, Hall, Hull, Jones of Switzerland, Keiser, Lichteberger, Lockwood, May, Mills, Neff, Nimmons, Orr, Prather, Short, Thompson of Gibson, Tinbrook. Williams of Knox, Winstandley, and Wolfe—27.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Brown, Bryant, Carr, Campbell, Coffin, Cole, Colip, Commons, Criswell, Dimmett, Dole, Dougherty, Doyle, Frazer, Gooding, Goodman, Hamilton, Harvey, Hetfield, Holden, Huddleston, Hunt, Jones of Bartholomew, Kennard, Lane, Line, Little, Major, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Morrison, Neal, Norris, Orton, Parker, Richmond, Roache, Robinson, Rulon, Sackett, Shryock, Slater, Smiley, Stone, Sullivan, Swihart, Terry, Trimble, Widney, Williams of Madison, and Mr. Speaker—59.

So said motion did not prevail.

Mr. Harvey moved to make said bill the special order of the day for 2 o'clock P. M.

Which motion did not prevail.

On motion by Mr. Keizer,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met.

No. 7. A bill to impose additional duties on the prosecuting attorneys in the several counties of this State, and for other purposes, pending at the last adjournment, was again taken up.

Mr. Dole moved a call of the House, and after some time spent thereon ;

On motion,

The farther call was suspended.

The question being on the adoption of the amendment proposed by Mr. Hamilton,

It was decided in the affirmative.

Mr. Brown offered the following amendment :

Sec. —. That the several county and township officers are hereby prohibited from employing any attorney other than the prosecuting attorney to perform any of the duties required of said prosecuting attorney, or paying any moneys as fees to such attorneys out of any public moneys except as in this bill provided ;

Which was not adopted.

Mr. Harvey offered the following amendment :

Sec. —. That if any of said prosecuting attorneys shall leave the State with the intention not to return, or when any prosecuting attorney shall have remained out of the State for the space of six months, that his office shall be deemed vacated, and the office shall be filled by election or otherwise as provided by law :

Which was adopted.

Mr. Frazer moved to amend by adding the following section :

"Sec. —. So much of this act as transfers the duties of county agent to the prosecuting attorney, and abolishes the office of county agent, shall not be in force in the county of Kosciusko ;"

Which said amendment was adopted.

On motion by Mr. Ford,

Jackson county was exempted from the provisions of the bill.

On motion by Mr. Meredith,

Wayne county was also exempted from the provisions of said bill.

On motion by Mr. Wolfe,

Sullivan county was also exempted from the provisions of said bill.

Mr. Cookerly moved,

To recommit said bill to the committee on the judiciary with instructions to strike out all the amendments exempting any county from the operations of the bill, and also so much as relates to the county agent.

On this motion Messrs. Harvey and Wolfe demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blythe, Brown, Bryant, Coffin, Cole, Colip, Cookerly, Criswell, Dimmett, Dougherty, Doyle, Dunham, Frazier, Gooding, Graham, Hall, Hamilton, Hankins, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Keiser, Kennard, Lane, Little, Major, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKenzie, Miller, Neal, Norris, Orton, Parker, Richmond, Roache, Rulon, Short, Shryock, Slater, Smiley, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Tinbrook, Trimble, Widney, and Williams of Madison—58.

Those who voted in the negative are,

Messrs. Baldwin, Campbell, Carr, Chambers, Coble, Commons, Danner, Davis, Dobson, Dole, Ford, Fuller, Goodman, Gordon, Harding, Jones of Switzerland, Lichteberger, Line, Lockwood, Meredith, Mills, Morrison, Neff, Nimmons, Orr, Prather, Robinson, Sackett, Stanton, Thompson of Gibson, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—34.

So said motion prevailed, and said bill was so referred.

The following message was received from his Excellency the Governor by Mr. Sleeth, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did this day approve and sign joint resolution No. 271, entitled "a joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana," which originated in the House of Representatives January 27, 1848.

ORDERS OF THE DAY.

No. 152. A bill amendatory to an act entitled "an act giving further time for the settlement of the revenue of Delaware county,"

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Bills on second reading.

No. 154. A bill to re-locate part of the State road from Harrison to Indianapolis ;

No. 153. A bill for the relief of William Horner ;

No. 155. A bill vacating a certain State road therein named ;

No. 156. A bill to repeal an act providing for the election of su-

pervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved December 26, 1844 ;

No. 157. A bill to locate a State road in the county of Posey ;

No. 158. A bill to locate a State road in the counties of White and Carroll ;

No. 159. A bill to incorporate the Madison and Cross-Plains Turnpike Company ;

No. 160. A bill to incorporate the German Evangelical Lutheran St. John's Church, in Dearborn county ;

No. 161. A bill to revise the road laws in the counties of Lake and Porter ;

No. 162. A bill to locate a state road in Madison and Hamilton counties ;

No. 164. A bill to repeal an act therein named ;

On motion by Mr. Mills,

Posey county was inserted in the provisions of the bill.

No. 165. A bill to vacate a part of the town of Hagerstown in Wayne county ;

No. 166. A bill declaring a misprint in the first section of an act of the Local Laws of 1847, in relation to the surplus revenue agent of Perry county ;

No. 167. A bill to change the name of Melissa Davis to Melissa Emeline Miller ;

No. 168. A bill to authorize Nottingham Mercer to build a mill dam across the Wabash river in Adams county ;

No. 169. A bill to incorporate the Jasper county Iroquois Navigation and Manufacturing Company ;

No. 170. A bill to locate a State road in the counties of Laporte and St. Joseph ;

No. 171. A bill to require the treasurer of Kosciusko county to refund certain taxes, and for other purposes ;

No. 172. A bill to authorize John Webster to build a mill dam across the Little St. Joseph river in DeKalb county ;

No. 173. A bill to repeal an act vacating a part of the town of Milford in Kosciusko county ;

No. 174. A bill to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes ;

No. 175. A bill to authorize a certain change in the Strawtown and Peru State road in Hamilton county ;

No. 176. A bill in relation to roads in DeKalb county ;

No. 177. A bill to legalize the assignment of a certificate for certain school lands therein named ;

No. 178. A bill to authorize the sale of a certain town lot therein named ;

No. 179. A bill to authorize Peter Wise and others to build a mill dam across White river, in Hamilton county ;

No. 181. A bill to repeal part of an act authorizing the State bank of Indiana to lay off, plat, and record in out lots certain lands

adjoining and lying near the town of South Bend, in St. Joseph county ;

No. 182. A bill to legalize the assignment of a certain certificate for certain school land in Morgan county, and for other purposes ;

Which were each severally read a second time and ordered to be engrossed for a third reading.

No. 181. A bill for the relief of certain purchasers of Seminary lands in Gibson county ;

Was read a second time and referred to the committee on claims.

No. 163. A bill to provide for the election of township assessors and township collectors in Jennings county, and for other purposes ;

Was read a second time, and,

On motion by Mr. Dunham,

Was referred to the committee on ways and means.

No. 183. A bill to amend an act entitled "an act to confine voters to their respective townships," approved January 13th, 1835 ;

Was read a second time, and,

On motion by Mr. Dobson,

Owen county was inserted in the provisions of the bill.

On motion by Mr. Terry,

Daviess county was also inserted.

On motion by Mr. Wolfe,

Sullivan county was also inserted.

On motion by Mr. Davis,

Martin county was also inserted.

On motion by Mr. Norris,

Johnson county was also inserted.

On motion by Mr. Litchteberger,

Posey county was also inserted.

On motion by Mr. Dougherty,

Morgan county was also inserted.

On motion by Mr. Lane,

Brown county was also inserted,

Mr. Huddleston moved to indefinitely postpone said bill,

And the ayes and noes being demanded by Messrs. Cookerly, and Wolf.

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Campbell, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Dimmett, Dole, Doyle, Gooding, Gordon, Hankins, Harding, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of Bartholomew, Keiser, Kennard, Lane, Line, Little, Lowe, Major, McConnell, McCormick, Meredith, Miller, Morrison, Neal, Neff, Orr, Orton, Parker, Prather, Richmond, Roach, Robinson, Rulon, Shryock, Slater, Smiley, Stanton, Stone, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimby, Widney, Williams of Knox—83.

Those who voted in the negative are,

Messrs. Albin, Chambers, Danner, Davis, Dobson, Dougherty, Ford, Fuller, Goodman, Hall, Hamilton, Lichteberger, Lockwood, May, McDonald of Lake, McKinzie, Mills, Nimmons, Norris, Sackett, Short, Terry, Williams of Madison, Winstandley, Wolfe, and Mr. Speaker—26.

So said bill was indefinitely postponed.

On motion by Mr. Sackett,

The House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, JANUARY 28, 1848.

The House met.

On motion by Mr. Line,

Reading of the journal was dispensed with.

ORDERS OF THE DAY.

House Bills on Second Reading.

No. 184. A bill to vacate certain enlargement of the city of Evansville ;

No. 185. A bill to form a new school district from districts Nos. 1 and 4, in congressional township No. 2 north, of range 2 east :

No. 186. A bill to legalize the proceedings of the board of commissioners of Boone county, in reference to the survey of a certain State road in said county ;

No. 188. A bill to authorize the auditor and school commissioner of Morgan county, to make a deed to Wm. Berry, for certain school land in said county ;

Which were each severally read a second time and ordered to be engrossed for a third reading.

No. 187. A bill to authorize the location and establishment of a State road from Bedford in Lawrence county, by Clear Springs in Jackson county, to Columbus in Bartholomew county ;

Was read a second time, when,

Mr. Jones of Bartholomew, moved to amend the bill, as follows :

Amend the first section of said act by striking out the name of "Samuel L. Lafever," and inserting that of "Isaiah Watkins:"

Also—by striking out all which follows the words "in Jackson

county," on the 12th line of said section, and insert "thence through or near the centre of Ohio township in Bartholomew county, intersecting the Madison and Indianapolis State road at Columbus, in said county of Bartholomew;"

Which said amendments were adopted,

And said bill as amended, was ordered to be engrossed for a third reading.

No. 189. A joint resolution inviting Major General Zachary Taylor to visit Indiana;

Was read a second time.

Mr. Lane moved to amend said joint resolution by striking out the same and inserting the following as a substitute therefor:

WHEREAS, It is the duty of the Legislature of the State of Indiana, to defend, protect, and sustain the character of our noble sons, that so willingly left their happy homes at the call of their country, and volunteered their services to protect the flag they loved, and defend the honor of the country that gave them birth.

AND WHEREAS, Knowing too that Indiana did more to gain the battle at the pass of Buena Vista than the troops from any one state, we cannot but regret that slander, misrepresentation, and jealousy, have deprived the State of the honor their valor so nobly won; and when we reflect of the solemn truth that Indiana furnished a greater number and more valuable sacrifices upon the altar of our country than any other one State that was represented upon that bloody field; and whilst no praise was too extravagant for the soldiers of other States, no terms were too harsh towards Indiana.

AND WHEREAS, TOO, We regret to find Major General Zachary Taylor among those that have done us, and our brave volunteers injustice, and though ample time has been given, and proof positive, yet has he failed to correct his error; therefore,

Be it unanimously resolved by the General Assembly of the State of Indiana, That Major General Zachary Taylor, be, and he is hereby called upon to correct and amend his official report of the battle of Buena Vista, as the truth and justice to the brave volunteers from Indiana require at his hand.

Resolved, That his Excellency James Whitcomb, Governor of the State of Indiana, be requested to transmit a copy of the foregoing to General Taylor, as soon as convenient after its passage.

Pending which motion,

Mr. Meredith moved a call of the House,

Which was seconded,

And after some time spent therein,

On motion by Mr. Harlan,

The further call was dispensed with.

Mr. Harvey then moved to lay said proposed amendment on the table.

On this motion Messrs. Lane and Dunham demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, DeBruler, Dimmett, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Little, Lockwood, McCormick, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Stanton, Stone, Swihart, Thompson of Carroll, Thomson of Gibson, and Mr. Speaker—47.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Chambers, Covington, Danner, Davis, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Tinbrook, Trimble, Widney, Williams of Knox, Winstandley, and Wolfe—42.

So said amendment was laid on the table.

Mr. Dunham moved to lay said joint resolution on the table.

On which motion Messrs. Harvey and Dunham demanded the ayes and noes :

Those who voted in the affirmative are,

Messrs. Armstrong, Campbell, Carr, Chambers, Covington, Danner, Davis, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Keiser, Kennard, Lane, Lichteberger, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Tinbrook, Trimble, Widney, Winstandley, and Wolfe—42.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, De Bruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Jones of Switzerland, Kinney, Line, Little, Lockwood, McCormick, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Stanton, Stone, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Williams of Knox, and Mr. Speaker—50.

So said motion did not prevail.

On motion by Mr. Cookerly,

The words "on the many battle-fields of his country," contained in the second paragraph of said joint resolution, were stricken out and the words "in the many battles of his country," inserted in lieu thereof.

Mr. Lane moved further to amend by adding the following :

"That these resolutions shall not be so construed as to sanction the report made by General Taylor in relation to the conduct of the Indiana volunteers at the battle of Buena Vista, nor approval of his neglect to correct the said report."

Mr. Harvey moved to lay said amendment on the table ;

Messrs. Lane and Harvey demanded the ayes and noes :

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, De Bruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, McCormick, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Swihart, Thompson of Carroll, Thompson of Gibson, and Mr. Speaker
—48.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Chambers, Covington, Danner, Davis, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Tinbrook, Trimble, Widney, Williams of Knox, Winstandley, and Wolfe—46.

So said amendment was laid on the table.

Mr. Dunham moved to postpone the further consideration of said joint resolution until Saturday the 5th of February next.

Pending which,

Mr. Dole moved the previous question.

Mr. Holden moved to adjourn until 2 o'clock, P. M.

On which motion Messrs. Lane and Albin demanded the ayes and noes :

Those who voted in the affirmative are,

Messrs. Armstrong, Campbell, Carr, Dimmett, Dunham, Ford, Fuller, Hall, Harlan, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris,

Roache, Rulon, Short, Shryock, Smiley, Tinbrook, Widney, and Winstandley—32.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Carr, Coble, Coffin, Cole, Colip, Commons, Cookerly, Covington, Criswell, Danner, Davis, De Bruler, Dobson, Dole, Dougherty, Doyle, Frazer, Gooding, Goodman, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Keiser, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Trimble, Williams of Knox, Wolfe, and Mr. Speaker—62.

So said motion did not prevail.

The question then being on seconding the call for the previous question made by Mr. Dole.

It was decided in the affirmative.

And on the question,

“Shall the main question be now put?”

Messrs. Orr and Neal demanded the ayes and noes:

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, De Bruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Line, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Slater, Stanton, Stone, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Knox, and Mr. Speaker—53.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Chambers, Covington, Danner, Davis, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Smiley, Tinbrook, Trimble, Widney, Winstandley, and Wolfe—41.

So said question was decided in the affirmative.

And the main question being.

“Shall the joint resolution be engrossed and read a third time tomorrow?”

Messrs. Dunham and Neal demanded the ayes and noes :

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, De Bruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hankins, Harding, Harvey, Huddleston, Hunt, Keiser, Kinney, Line, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Slater, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Knox, and Mr. Speaker—52.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Covington, Danner, Davis, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Hall, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Norris, Roache, Rulon, Short, Shryock, Smiley, Tinbrook, Trimble, Winstandley, and Wolfe—39.

So said joint resolution was ordered to be engrossed for a third reading.

On motion by Mr. Cookerly,
The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met.

The following message was received from his Excellency the Governor by Mr. Sleeth, his private secretary:

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did this day approve and sign the following bills:

No. 9. An act granting to the citizens of Rising Sun a city charter.

No. 25. An act explanatory of an act entitled "An act to secure to Ohio county a share of the common school and surplus revenue funds and for other purposes," approved January 6th, 1847;

Both of which originated in the House of Representatives, January 28th, 1848.

Mr. Hull moved to take from the table, and place upon the files,
No. 70. A bill authorizing the Madison and Indianapolis railroad
company to take stock in other companies, and for other purposes,
Which motion prevailed.

Mr. Covington asked and obtained leave of absence for Mr. Wil-
liams of Madison.

ORDERS OF THE DAY—CONTINUED.

No. 190. A joint resolution to consolidate the Winemac, Fort
Wayne, and Indianapolis Land Offices, and to locate the same at
Peru;

No. 191. A bill for the purposes therein named;
Were each read a second time, and ordered to be engrossed for
a third reading.

No. 192. A bill in relation to the pay of grand and petit jurors,
Was read a second time.

Mr. Dunham moved to indefinitely postpone said bill,
Which motion did not prevail.

Mr. De Bruler moved to amend so as to make the provisions of
said bill apply to Spencer county only.

Which motion prevailed.

Mr. Goodman moved to insert Dubois county;

Which motion prevailed.

Mr. Coble moved to insert Crawford county;

Which motion prevailed.

Said bill was then ordered to be engrossed for a third reading.

No. 193. A bill to authorize the auditor of Hendricks county to
sell certain lands;

No. 195. A bill to provide for the construction of a rail road
from Martinsville, in Morgan county, to Point Commerce, in Green
County;

No. 196. A bill to authorize a company to construct the Aurora
and Laughery turnpike;

No. 197. A bill authorizing a company to construct a turnpike
road from Moore's Hill to Aurora in Dearborn county;

No. 200. A bill repealing a certain act therein named;

Were each severally read a second time and ordered to be en-
grossed for a third reading.

No. 194. An act in relation to injunctions and chancery practice;
Was read a second time;

When,

On motion, by Mr. Orton,

Said bill was amended by adding the following section:

SEC. 2. *And be it further enacted*, That no such injunction or re-
straining order which may have been or which shall hereafter be
granted, shall restrain or suspend the taking of depositions in the
suit restrained or enjoined; but that the parties thereto shall pro-

ceed in the preparation of the testimony in such restrained suit, the same in all respects as if no such restrained order or injunction had been granted or obtained.

Said bill, as amended, was

On motion,

Referred to the committee on the judiciary.

No. 199. A bill to regulate the fees and emoluments of the officers of the county of Henry;

Was read a second time, and,

On motion,

Laid on the table.

No. 198. A bill in relation to school funds in the county of Daviess;

Was read a second time and ordered to be engrossed for a third reading.

No. 201. A bill to provide for taking the sense of the qualified voters of the State, on calling a convention to alter, revise, or amend the constitution of this State;

Was read a second time.

Mr. Cookerly moved to amend said bill, by striking out so much as relates to vote by ballot, and inserting "by a *viva voce* vote."

To which amendment Mr. Line proposed the following:

"Strike out the third section and insert the following:

"SEC. 3. That the inspectors of elections, at the time of voting for county and State officers, shall distinctly put to every voter the question, "Are you in favor of or against the call of a convention to amend the constitution of the State."

Which was accepted by Mr. Cookerly;

And pending the question on the adoption of said amendments,

Mr. Harvey moved to indefinitely postpone said bill and amendments.

On which motion, Messrs. Rulon and Wolf demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Bryant, Coble, Coffin, Colip, Commons, Covington, Criswell, De Bruler, Dole, Frazier, Fuller, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, McCormack, Meredith, Miller, Morrison, Orton, Parker, Prather, Robinson, Sackett, Short, Stanton, Terry, Thompson of Carroll, and Mr. Speaker—40.

Those who voted in the negative are,

Messrs. Campbell, Carr, Chambers, Cole, Cookerly, Danner, Davis, Dimmett, Dobson, Dougherty, Doyle, Dunham, Ford, Gooding, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line,

Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Neff, Nimmons, Norris, Orr, Richmond, Roaché, Rulon, Shryock, Slater, Smiley, Stone, Sullivan, Swihart, Tinbrook, Trimby, Williams of Knox, Winstandley and Wolf—52.

So said bill was not indefinitely postponed.

Mr. Cole moved to amend the amendment proposed by Mr. Cookerly, as modified by Mr. Line's amendment, by adding to the 4th section the following proviso:

"*Provided*, That nothing herein contained shall authorize the next General Assembly to provide for the calling of a convention, unless a majority of all the votes cast at such election shall be in favor of such convention."

Pending which motion,

On motion by Mr. Cookerly,

Said bill was referred to a select committee, of Messrs. Gooding, Lane, Cole, Cookerly, and Dunham.

On motion by Mr. McDonald of Lake,

The House adjourned until to-morrow morning at 9 o'clock.

SATURDAY MORNING, JANUARY 29, 1848.

On motion by Mr. Miller,

The reading of the journal was dispensed with.

Mr. Line, on leave being granted, made the following report from a select committee :

MR. SPEAKER :

The select committee to whom was referred the matter in relation to the printing of the Governor's message in German and French, have had the same under consideration, and would report, that they called upon the State Printer for the purpose of obtaining information on the subject, and he suggested that the messages could be sent to the members of the different counties when the laws shall be distributed. Your committee would further inform the House that they called upon the postmaster of this place for the purpose of ascertaining what would be the amount of postage on each message, and in answer he said that the postage would be about three and a half cents per copy ; and the committee would further remark, that they would not suggest any course for the members to take with regard to the distributing of the message, but would leave that to the House. The committee, however,

would suggest that in the event of the message being printed, that members respectively leave their names, with their place of address, with the State Printer, and that he send them as per address by mail;

Which was concurred in by the House.

Mr. Ford moved that leave of absence be granted to Mr. Neal for this day;

Which was granted.

ORDERS OF THE DAY.

Bills on the second reading.

No. 70. A bill authorizing the Madison and Indianapolis Railroad Company to take stock in other companies, and for other purposes;

Was taken up, and,

On motion by Mr. Cookerly,

Laid on the table.

On motion by Mr. Prather,

A call of the House was ordered.

On motion by Mr. Parker,

The further call was suspended.

On leave being granted therefor,

Mr. Hunt made the following report:

MR. SPEAKER:

The committee on benevolent and scientific institutions, to which was referred a resolution of the House (No. 13) instructing said committee to inquire into the expediency of providing for the education of all proper subjects for instruction in the institution for the blind at the expense of the State, have considered the subject, and directed me to report the following bill and recommend its passage:

No. 343. A bill for the benefit of the Institute for the education of the Blind:

Was read a first and second times, the rules being suspended therefor, and referred to the committee on ways and means.

Mr. Brown, on leave, made the following report:

MR. SPEAKER:

The committee on benevolent and scientific institutions to whom was referred so much of the Governor's message as related to the hospital for the Insane, the report of the commissioner and superintendent of the hospital for the Insane, &c., have had said several subjects and documents under consideration, and have directed me to re-

port the following bill and resolution, and recommend that they be passed :

Resolved, That the committee on ways and means be directed to provide in the revenue bill for State purposes for 1848, that there be assessed, levied, and collected on each one hundred dollars of the value of all property entered for taxation in the general list of taxables, one cent for the hospital for the Insane of the State ;

Which report was concurred in, and the resolution was adopted-
No. 344. A bill for the more speedy completion of a portion of the Indiana Hospital for the Insane ;

Was read a first and second times, the rules being suspended therefor, and referred to the committee on ways and means.

Mr. Brown, on leave, also made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions to whom was referred so much of the Governor's message as relates to the Deaf and Dumb Asylum, the report of the Trustees and Principal of the asylum, and several resolutions of the House, in reference to making the asylum free to all proper persons, &c., have had said several documents and subjects under consideration, and have directed me to report the following bill and resolution and recommend that they be passed :

Resolved, That the committee on ways and means be directed to provide in the revenue bill for State purposes for 1848, that there be assessed, levied, and collected on each one hundred dollars of the value of all property entered for taxation on the general list of taxables, one cent and five mills, for the Deaf and Dumb Asylum of the State.

Said resolution was adopted.

No. 345. A bill to provide for the erection of an institution for the deaf and dumb of Indiana ;

Was read a first and second times, the rules being suspended therefor, and

Referred to the committee on ways and means.

No. 202. A bill to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county, Indiana ;

Was read a second time and ordered to be engrossed.

Mr. Dunham moved that the House take up the message of the Governor, containing his reasons for withholding his signature to the bill in relation to the White Water Canal ;

And the ayes and noes being demanded on this question by Messrs. Ford and Dunham:

Those who voted in the affirmative are,

Messrs. Armstrong, Carr, Chambers, Danner, Davis, Dobson, Dunham, Ford, Goodman, Graham, Hall, Holden, Hull, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Line, Major, May, Norris, Roache, Shryock, Slater, Smiley, Widney, Williams of Knox, Winstandley, and Wolfe—30.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Covington, Criswell, De Bruler, Dimmett, Dole, Dougherty, Doyle, Frazer, Gooding, Gordon, Hamilton, Hankins, Harding, Harvey, Hetfield, Huddleston, Hunt, Kinney, Lichteberger, Little, Lockwood, McConnell, McCormick, McDonald of Adams, McKinzie, Meredith, Miller, Mills, Morrison, Neff, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Short, Stone, Swihart, Thompson of Carroll, Tinbrook, Trimble, and Mr. Speaker—56.

So said message was not taken up.

No. 203. A bill to repeal the 1st, 2d, and 3d, and 4th sections of the 73d chapter of the Revised Statutes of 1843;

Was read a second time and referred to the judiciary committee.

No. 204. A bill relative to the sureties of justices of the peace;

Was read a second time and referred to the judiciary committee.

No. 206. A bill to authorize the sale of lots in the town of Brownstown for delinquent taxes;

Was read a second time and ordered to be engrossed.

No. 207. A bill repealing so much of section 233, of chapter 30 of the Revised Statutes of 1843, as requires the probate court to set the time of sales of real estate by executors and administrators;

Was read a second time and laid on the table.

No. 208. A bill to extend the time of holding the commissioners court of Boone county;

Was read a second time and ordered to be engrossed.

No. 210. A bill to change the name of Bazileel Thomas to that of Basil Thomas;

No. 214. A bill to provide for the improvement of the town of Williamsport;

No. 216. A bill to authorize the clerk of Sullivan county to offer and sell certain lots and lands therein named, at the court house door, in Sullivan county;

No. 218. A bill to amend an act entitled "An act to incorporate the Lawrenceburgh and Rushville Turnpike Company," approved January 19, 1846;

No. 220. A bill to amend an act entitled "An act appointing commissioners to make partition of the real estate of Stephen S. Collett, late of Vermillion county, deceased," approved January 19, 1846;

No. 221. A bill relative to the probate court of Monroe county;

No. 224. A bill authorizing the boards doing county business to continue in session ten days at their March and June sessions;

No. 225. A bill to authorize county auditors to take acknowledgments of deeds in certain cases;

No. 231. A bill to enable the auditor of St. Joseph county to make a deed in a certain case;

No. 232. A bill declaring the meaning of an act to amend "an act amendatory to an act incorporating Michigan City," approved February 15, 1841;

Were severally read a second time and ordered to be engrossed.

No. 209. A bill for the protection of the rights of married women;

No. 213. A bill to amend the 28th chapter of the Revised Code of 1843, relative to the acknowledgment of deeds and other instruments of writing;

No. 226. A bill in relation to constables;

Were severally read a second time and referred to the judiciary committee.

No. 211. A bill authorizing the board of Madison county commissioners to do a certain act;

No. 212. A bill to authorize the board of commissioners of Madison county to use certain stone therein named;

Were severally read a second time and laid on the table.

No. 215. A bill to revive and amend the act relative to the Covington Draw Bridge company;

Was read a second time and referred to the committee on corporations.

No. 217. A bill to abolish the office of school commissioner in St. Joseph county, and to transfer the duties of said office to the county treasurer;

Was read a second time, and,

On motion,

The rules being suspended, was read a third time and passed.

Ordered, That the Senate be informed thereof.

No. 222. A bill to authorize the sale of certain lots in Indianapolis;

Was read a second time and referred to the committee on the affairs of the town of Indianapolis.

No. 223. A bill to amend an act entitled an act to provide for the construction of a railroad from Martinsville, in Morgan county, to Franklin, in Johnson county, approved January 20, 1846 ;

Was read a second time, and referred to a select committee of Messrs. Dougherty, Norris, and Jones.

Mr. Terry, on leave, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred sundry resolutions in reference to a change of the mode of doing probate business, &c., have had the same under consideration, and have instructed me to report the accompanying bill, and to recommend its passage :

No. 346. A bill to change the mode of doing probate business, and for other purposes ;

Was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Terry,

Was laid on the table, and 150 copies were ordered to be printed ;

And said bill was made the special order of the day for Wednesday next at 2 o'clock.

No. 227. A bill extending the time for supervisors to work their roads ;

Was read a second time and referred to the committee on roads.

No. 228. A bill for the relief of the several recorders of this State ;

Was read a second time and referred to a select committee composed of Messrs Cookerly, Stone and Graham.

No. 229. A bill to amend an act in relation to the advertising of delinquent tax lists ;

No. 230. A bill to authorize county auditors and treasurers to make set offs in certain cases ;

Were severally read a second time and referred to the committee on ways and means.

No. 233. A bill in relation to the collection of road receipts ;

Was read a second time and referred to the committee on roads.

No. 233. A bill to require the trustees of the Indiana Asbury University to report to the General Assembly ;

Was read a second time and referred to the committee on education ;

No. 239. A bill repealing the 16th and 19th sections of Revised Statutes of 1843, chapter 10th ;

Was read a second time, and,

On motion by Mr. Cookerly,

Indefinitely postponed.

No. 241. A bill to amend article 5, chapter 45, Revised Statutes of 1843 ;

Was read a second time and referred to the judiciary committee.
No. 249. A bill to organize and regulate the militia of the State of Indiana ;

Was read a second time.

Mr. Stanton moved that the bill be indefinitely postponed ;

And the ayes and noes being demanded by Messrs. Fuller and Robinson,

Those who voted in the affirmative are,

Messrs. Baldwin, Dougherty, Harding, Harlan, Huddleson, Hunt, Meredith, Miller, Neff, Stanton, Stone, and Thompson of Gibson—12.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Blythe, Brown, Bryant, Campbell, Carr, Chambers, Coble, Coffin, Cole, Colip, Commons, Cookerly, Covinton, Danner, Davis, De Bruler, Dimmett, Dobson, Dole, Doyle, Dunham, Ford, Frazer, Fuller, Gooding, Goodman, Graham, Hall, Hamilton, Hankins, Hetfield, Holden, Hull, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Little, Lockwood, Major, May, McConnell, McDonald of Adams, McKinzie, Mills, Morrison, Nimanons, Norris, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Slater, Smiley, Sullivan, Swihart, Terry, Thompson of Carroll, Tinbrook, Trimble, Widney, Williams of Knox, Winsteadly, Wolfe, and Mr. Speaker—75.

So said bill was not indefinitely postponed.

On leave,

Mr. Cookerly offered the following resolution :

Resolved, That this House will meet on this evening, at $\frac{1}{2}$ past 6 o'clock, for the purpose of hearing the militia bill read and considering the same.

Which was adopted.

No. 250. A bill relative to the sale, on execution, of property fraudulently transferred ;

Was read a second time and laid on the table.

No. 251. A bill to re-appraise the Wabash and Erie Canal lands ;

Was read a second time and referred to the committee on canals and internal improvements.

No. 235. A bill to authorize Sarah Shannon to convey certain read estate ;

No. 236. A bill amendatory to the laws in force in relation decedents' estates ;

No. 237. A bill to legalize the vacation of certain lots, streets, and alleys in South Bend ;

No. 238. A bill to legalize the acts of Michael Sheel, a justice of the peace of Hamilton county ;

No. 240. A bill in relation to road tax in the county of Howard ;

No. 243. A bill authorizing the sheriff of Dearborn county to use the jail at Wilmington for a certain period of time therein mentioned ;

No. 246. A bill for reducing the fee for recording deeds in Delaware county ;

No. 247. A bill to revive an act entitled an act to incorporate the town of Muncie in Delaware county ;

No. 248. A bill authorizing county auditors to make deeds in certain cases ;

Which was,

On motion by Mr. Wolfe,

Amended by authorizing the clerk of the circuit court to have the same power in all counties where they perform the duties of county auditor.

No. 252. A bill to amend an act entitled an act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, and to provide for the election of a commissioner to restore said records, approved January 13, 1845 ;

No. 253. A bill to amend section 4, article 1, chapter 7, of the Revised Statutes of 1843 ;

No. 254. A bill authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county, Indiana ;

No. 255. A bill to vacate part of the Indianapolis and Centreville State road ;

No. 256. A bill for the relief of Robert Brown and others ;

No. 257. A bill incorporating the Celebration Spring Steam Mill, in Franklin county ;

No. 259. A bill to locate a State road in the counties of Franklin and Ripley ;

No. 260. A bill authorizing the auditor of Franklin county to sell certain schools lands therein named ;

No. 262. A bill to vacate a certain street in the village of Byron, in Laporte county ;

No. 263. A bill to amend the charter of the Indiana Medical College ;

No. 267. A bill to change the name of Charlotte Leggett Fox Du Bois to Charlotte Fox Du Bois Ladd ;

No. 269. A bill to vacate the streets, alleys, and town lots of Georgetown in the county of Adams ;

No. 270. A joint resolution on the subject of mileage ;

Which were each severally read a second time and ordered to be engrossed for a third reading.

No. 261. A bill providing for the re-appraisement of real estate in certain counties ;

Which was read a second time and referred to the judiciary committee.

No. 268. A bill to incorporate the town of Winchester, in Randolph county, Indiana ;

Which was referred to select committee of Messrs. Neff, Cole, and Hunt.

No. 266. A bill to authorize Elizabeth Wright to dispose of certain real estate therein named ;

Which was read a second time, and,

On motion by Mr. Harvey,

Was indefinitely postponed.

No. 272. A bill to amend the execution laws ;

Which was read a second time.

Pending which,

Mr. Dunham, on leave granted, offered the following resolution :

Resolved, That when the House adjourns, it will adjourn till this evening at $\frac{1}{2}$ past six o'clock.

And the ayes and nays being demanded by Messrs. Cookerly and Harvey,

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Bryant, Coffin, Colip, Davis, Dimmett, Dobson, Dougherty, Dunham, Fuller, Gooding, Goodman, Graham, Hall, Hankins, Harlan, Holden, Keiser, Little, Lockwood, Lowe, Major, Norris, Orr, Prather, Roache, Robinson, Rulon, Sackett, Shryock, Slater, Smiley, Stone, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Winstandley, and Wolf—42.

Those who voted in the negative are,

Messrs. Brown, Carr, Chambers, Coble, Cole, Commons, Cookerly, Covington, Dole, Frazer, Gordon, Hamilton, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Jones of B., Jones of S., Kennard, Lane, Lichteberger, Line, May, McConnell, McCormick, McDonald of A., McKenzie, Meredith, Miller, Mills, Morrison, Neff, Nimmons, Orton, Parker, Richmond, Short, Stanton, Trimble, Widney, Williams of K., and Mr. Speaker—44.

So said resolution was not adopted.

Mr. Graham moved that the House adjourn.

Which did not prevail.

Mr. Dunham moved to reconsider the vote on the adoption of the resolution to meet this evening at half past 6 o'clock.

Which motion prevailed.

On motion by Mr. Fuller.

Said resolution was amended by striking out "this evening" and inserting "Monday evening."

The resolution was then adopted.

Mr. Dole moved that House bill No. 272 be made the special order of the day at 2 o'clock.

Which did not prevail.

Mr. Hull moved to make House bill No. 70 the special order of to-day at 2 o'clock.

Which did not prevail.

On motion by Mr. Hull,
No. 272 was laid on the table.

On motion by Mr. Harvey,
The House adjourned till 2 o'clock.

2 o'clock P. M.

House met.

Mr. Lane, from the committee on ways and means, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred Senate bill No. 91, have had the same under consideration, and authorized me to report the same to the House and recommend its passage.

No. 91. A bill to extend the time of collecting the taxes in Dearborn county ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Ford made the following report :

MR. SPEAKER :

The select committee to whom was referred an act changing the mode of voting in Jackson county, have had the same under consideration and have directed me to report the same back, striking out all the amendments, and recommend its passage.

No. 44. A bill relative to elections in Jackson county ;
Pending which,

Mr. Meredith moved a call of the House,
Which was seconded.

Mr. Harvey moved that the absentees be sent for.

Which motion prevailed.

Mr. Cookerly moved that the further call be suspended.

Which motion prevailed.

Question then being,

Shall the bill be engrossed for a third reading ?

The ayes and noes were demanded by Messrs. Harvey and Dole,

Those who voted in the affirmative are,

Messrs. Armstrong, Bryant, Carr, Chambers, Covington, Danner, Davis, Dobson, Dougherty, Dunham, Ford, Fuller, Goodman, Graham, Hall, Hamilton, Harding, Hull, Jones of Switzerland, Keiser, Lane, Lichteberger, Lockwood, Major, May, McDonald of Adams, Mills, Nimmons, Norris, Orton, Sackett, Short, Shryock, Slater, Sullivan, Thompson of Carroll, Tinbrook, Winstandley, and Wolfe—39.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Brown, Campbell, Coble, Coffin, Cole, Commons, Criswell, De Bruler, Dimmett, Dole, Doyle, Frazer, Gordon, Hankins, Harvey, Hetfield, Holden, Huddleston, Hunt, Kennard, Kinney, Line, Little, Lowe, McConnell, McCormick, McKinzie, Meredith, Morrison, Neff, Orr, Parker, Prather, Robinson, Smiley, Stanton, Stone, Swihart, Thompson of Gibson, Trimble, Widney, Williams of Knox, and Mr. Speaker—42.

So said bill was not ordered to be engrossed.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on this day approve and sign bill No. 19, entitled "An act to repeal an act in relation to horses and jackasses," which originated in the House of Representatives.

January 27th, 1846.

No. 273. A bill to provide for a County Library in the county of Pulaski, and for other purposes ;

No. 274. A bill to amend an act entitled "An act in relation to the service of subpoenas in chancery," approved Jan. 25, 1847 ;

Which were each read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 275. A bill to repeal an act therein named, and for other purposes ;

Was read a second time and ordered to be engrossed for a third reading.

No. 276. A bill to amend the 5th and 6th sections of the 1st article of the 55th chapter of the Revised Statutes of 1843, regulating the jurisdiction of Justices of the Peace in criminal cases ;

Was read a second time, and,

Mr. Harvey moved to refer the bill to the committee on the judiciary.

Which motion did not prevail.

On motion by Mr. Dunham,

Said bill was referred to a select committee of Messrs. Dunham, Gooding, Jones of S., Meredith, and Frazer.

Mr. Huddleston moved to take from the table bill of the House No. 272.

Which motion did not prevail.

On motion by Mr. Cookerly,

The House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, JANUARY 31, 1848.

The House met.

Mr. McDonald of Adams on leave being granted, offered the following resolution :

Resolved, That hereafter no member shall be allowed to give his reasons for his vote, when the ayes and noes are called, or make any remarks whatever during the call;

Which was laid over until to-morrow.

On motion by Mr. Meredith,

Petitions were introduced, with the consent of the House, as follows :

By Mr. Meredith,

The petition of the State convention of colored people, held at Indianapolis August 3d, 4th, and 6th, 1847, for educational purposes;

Which;

On motion by Mr. Cookerly,

Was laid on the table.

By Mr. Meredith,

The petition of G. W. Whitman and others, to vacate an alley in Cambridge ;

Which was laid on the table, and the accompanying bill,

No. 347. A bill to vacate an alley in Cambridge city ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

By Mr. Lane,

The petition of George Conner ;

Which was referred to the committee on claims.

By Mr. Bryant,

The petition from citizens of Fountain county, for the relocation of a State road ;

Which was referred to a select committee of Messrs. Bryant, Hetfield, and Armstrong.

Mr. Keiser on leave being granted, introduced,

No. 348. A bill to impose additional duties on the prosecuting attorneys of the 12th judicial circuit of this State, and for other purposes ;

Was read a first time and ordered to a second reading.

By Mr. Hunt,

A remonstrance against the repeal of the license laws ;

Which was referred to a select committee of Messrs. Winstandy, May, Carr, and Orton.

By Mr. Hetfield,

A remonstrance against the re-location of the Attica and Covington State road ;

Which was referred to a select committee of Messrs. Bryant, Hetfield, and Armstrong.

By Mr. Colip,

A remonstrance against building a mill dam across the bed of White river ;

Which was referred to a select committee of Messrs. Colip, Gooding, and Gordon.

Mr. Harvey from a committee on corporations, on leave being granted, made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill of the House No. 88, entitled "a bill to incorporate the Evansville, Vincennes, and Terre Haute railroad company," have had the same under consideration, and instructed me to report that said bill contains all the provisions necessary to incorporate a railroad company while at the same time the interests and rights of the community, are sufficiently protected ; and I am by said committee instructed further to say, that in regard to the propriety and expediency of authorizing the construction of a railroad on the route contemplated by said bill, said committee do not express an opinion ;

Bill No. 88 in said report mentioned, was read a second time, and pending which,

The House then went into a committee of the whole, on the special order of the day, bill,

No. 56. A bill to provide for the improvement of common schools, with Mr. Meredith in the chair, and after some time spent therein, the committee arose, and the chairman made the following report:

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House No. 56, have according to order had the same under consideration, and have adopted various amendments, and the committee ask leave to act again, at 2 o'clock this evening ;

Which request was granted by the House.

On motion by Mr. McDonald of Lake,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met.

And went into committee of the whole, on the special order of the day, bill No. 56, with Mr. Meredith in the chair ; and after some time spent thereon, the committee arose, and the chairman made the following report :

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House, No. 56, have, according to order, had the same under consideration, and have adopted various amendments, and the committee ask leave to sit again ;

Which request was granted by the House.

The following message from the Senate was received, by Mr. Test their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, to-wit:

No. 152. An act amendatory to an act, entitled "An act giving further time for the settlement of the revenue of Delaware county."

No. 337. An act authorizing Mahala Proffit to discharge the duties of administratrix of her late husband's estate, and act as the guardian of her daughter.

On motion by Mr. Wolfe,
The House adjourned until half past 6 o'clock, P. M.

Half past 6 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Parker moved a call of the House,
Which was seconded after some time spent therein.

On motion by Mr. Fuller,
The further call was suspended.

No. 249. A bill reorganizing the militia of the State of Indiana ;
Which was made the special order of the day,
Was read a second and third times, the rules being suspended therefor,

And the question being,

"Shall the bill pass?"

The ayes and noes were demanded by Messrs. Meredith and Hull :

Those who voted in the affirmative are,

Messrs. Armstrong, Brown, Bryant, Campbell, Carr, Chambers, Criswell, Davis, Dimmett, Doyle, Fuller, Graham, Hall, Hamilton, Hetfield, Holden, Hull, Jones of Bartholomew, Kennard, Lichteberger, Line, Lowe, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Orton, Parker, Smiley, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimble, Williams of Knox, Williams of Madison, Wolfe, and Mr. Speaker—48.

Those who voted in the negative are,

Messrs. Bowling, Commons, Dougherty, Harding, Little, Meredith, Nimmons, Orr, Stone, and Winstandley—10.

There being no quorum voting,

On motion by Mr. Slater,

A call of the House was ordered, and the absentees placed upon the journal.

The following members were found absent :

Messrs. Albin, Baldwin, Blackstone, Blythe, Coffin, Cole, Colip, Cookerly, Covington, Danner, De Bruler, Dole, Dunham, Ford, Frazer, Gooding, Goodman, Gordon, Hankins, Harlan, Harvey, Huddleston, Hunt, Keiser, Jones of Switzerland, Kinney, Lane, Major, McCormick, McDonald of Lake, McKinzie, Miller, Morrison, Neff, Roache, Robinson, Sackett, Short, Shryock, Stanton, Sullivan, Swihart, and Widney.

Messrs. Neff, Stanton, Kinney, and McKinzie had leave of absence.

On motion by Mr. Meredith,

The further call was dispensed with.

Mr. Harvey moved to recommit the bill with instructions to amend by striking out 75 cents fine, where it occurs, and insert 50 cents,

And the ayes and noes being demanded by Messrs. Harvey and Meredith,

Those who voted in the affirmative are,

Messrs. Bowling, Coble, Commons, Criswell, Dobson, Dole, Hamilton, Harding, Harvey, Hull, Line, McCormick, Meredith, Morrison, Nimmons, Orr, Richmond, Stone, Thompson of Gibson, and Winstandley—20.

Those who voted in the negative are,

Messrs. Armstrong, Brown, Bryant, Campbell, Carr, Chambers, Davis, Dimmett, Doyle, Dunham, Fuller, Graham, Hall, Hetfield, Holden, Jones of Bartholomew, Kennard, Lichteberger, Lockwood, Lowe, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Orton, Parker, Prather, Rulon, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Tinbrook, Trimble, Williams of Knox, Williams of Madison, Wolfe, and Mr. Speaker—41.

Mr. Harvey moved that the House adjourn ;

And the ayes and noes being demanded by Messrs. Harding and Slater,

Those who voted in the affirmative are,

Messrs. Albin, Commons, Criswell, Dobson, Dole, Dunham, Hamilton, Harding, Harvey, Harvey, Huddleston, Hull, Little, Morrison, Richmond, Stone, Sullivan, and Thompson of Gibson—18.

Those who voted in the negative are,

Messrs. Armstrong, Bowling, Brown, Bryant, Campbell, Carr, Chambers, Coble, Dimmett, Doyle, Fuller, Graham, Hall, Hetfield,

Holden, Jones of Bartholomew, Kennard, Lichteberger, Line, Lockwood, Lowe, May, McConnell, McDonald of Adams, Meredith, Mills, Neal, Nimmons, Norris, Orton, Orr, Parker, Prather, Rulon, Slater, Smiley, Terry, Thompson of Carroll, Tinbrook, Trimby, Williams of Knox, Williams of Madison, Winstandley, Wolfe, and Mr. Speaker—45.

Mr. Slater moved a call of the House,
Which was ordered.

The following members were found absent :

Messrs. Baldwin, Blackstone, Blythe, Coffin, Cole, Colip, Commons, Cookerly, Covington, Danner, De Bruler, Dougherty, Ford, Frazer, Goodman, Hankins, Harlan, Hunt, Jones of Switzerland, Keiser, Lane, Major, McDonald of Lake, McKinzie, Miller, Roache, Robinson, Sackett, Short, Shryock, Swihart, and Widney.

On motion by Mr. Slater,
The absentees were sent for.

Mr. Slater then moved that the doorkeeper be instructed to permit no member to leave the room ;

Which motion prevailed.

Mr. Wolfe moved that a warrant be issued to the doorkeeper to arrest the absent members and bring them into the Hall instantler,

And the ayes and noes being demanded by Messrs. Harvey and Meredith,

Those who voted in the affirmative are,

Messrs. Armstrong, Campbell, Carr, Davis, Ford, Fuller, Lichteberger, Orr, Orton, Slater, Smiley, Swihart, Thompson of Carroll, Tinbrook, Trimby, Widney, Wolfe, and Mr. Speaker—18.

Those who voted in the negative are,

Messrs. Bowling, Bryant, Chambers, Coble, Commons, Criswell, Dimmett, Dobson, Dole, Doyle, Graham, Harding, Harvey, Hetfield, Holden, Huddleston, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Line, Little, Lockwood, Lowe, McConnell, McCormick, McDonald of Adams, Meredith, Mills, Nimmons, Norris, Parker, Richmond, Rulon, Stone, Terry, Thompson of Gibson, Williams of Knox—48.

So said motion did not prevail.

Mr. Meredith moved that the House adjourn.

The ayes and noes were demanded on that question by Messrs. Slater and Dimmett :

Those who voted in the affirmative are,

Messrs. Bowling, Carr, Chamber, Coble, Commons, Criswell,

Dimmett, Dobson, Dole, Doyle, Graham, Harding, Harvey, Hetfield, Holden, Huddleston, Hunt, Jones of Bartholomew, Kennard, Lichteberger, Line, Little, Lockwood Lowe, McConnell, McCormick, McDonald of Adams, Meredith, Mills, Norris, Parker, Richmond, Rulon, Stone, Williams of Knox, and Mr. Speaker—36.

Those who voted in the negative are,

Messrs. Armstrong, Bryant, Campbell, Colip, Davis, Ford, Fuller, Jones of Switzerland, May, Neal, Nimmons, Orr, Orton, Slater, Smiley, Swihart, Terry, Thompson of Carroll, Tinbrook, Widney, Winstandley, and Wolfe—22.

So the House adjourned till to-morrow morning at 9 o'clock.

TUESDAY MORNING, FEBRUARY 1, 1848.

The House met.

On motion by Mr. Prather,

The reading of the Journal was dispensed with.

Mr. Covington asked the consent of the House to record his vote against the last adjournment ;

Which was granted.

The question being on Mr. Harvey's motion to re-commit bill No. 249, with instructions,

Mr. Carr moved a call of the House ;

Which was ordered.

After some time spent therein,

On motion by Mr. Harvey,

The further call of the House was dispensed with.

The question then recurring on the motion to re-commit bill No. 249, with instructions,

The ayes and noes were demanded by Messrs. Harvey and Gooding :

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Coffin, Cole, Commons, Dobson, Dole, Dougherty, Ford, Gooding, Gordon, Hamilton, Harding, Harlan, Harvey, Huddleston, Hall, Hunt, Kinney, Line, Little, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Richmond, Stone, Swihart, Williams of Madison, Winstandley—34.

Those who voted in the negative are,

Messrs. Armstrong, Blythe, Carr, Chambers, Coble, Colip, Covington, Danner, Davis, Dimmitt, Ford, Goodman, Graham, Hankins, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Lockwood, Lowe, Major, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Orton, Parker, Prather, Roache, Robinson, Rulon, Sackett, Short, Shryock, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Tinbrook, Trimble, Williams of Knox, Wolf, and Mr. Speaker—53.

So said motion did not prevail.

The question then being on the passage of the bill,

Mr. Slater moved the previous question ;

Which was soconded by the House.

The question then being,

“Shall the main question be now put?”

It was decided in the affirmative.

The main question then being,

“Shall the bill now pass?”

And the ayes and noes being demanded by Messrs. Harvey and Little :

Those who voted in the affirmative are,

Messrs. Armstrong, Blythe, Bryant, Campbell, Carr, Chambers, Cole, Cookerly, Covington, Danner, Davis, Dimmett, Dobson, Doyle, Fuller, Goodman, Graham, Hall, Hamilton, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line, Lowe, Major, McConnell, McDonald of Adams, Mills, Neal, Norris, Parker, Prather, Roache, Robinson, Rulon, Short, Slater, Smiley, Sullivan, Terry, Thompson of Carroll, Tinbrook, Trimble, Williams of Knox, Wolfe, and Mr. Speaker—50.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Bowling, Coble, Coffin, Colip, Commons, Criswell, De Bruler, Dole, Dougherty, Dunham, Ford, Frazer, Gordon, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, May, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Nimmons, Orr, Richmond, Sackett, Shryock, Stanton, Stone, Swihart, Williams of Madison, and Winstandley—41.

So said bill passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Gooding was excused from voting.

Mr. Morrison, being called upon, refused to vote.

On motion by Mr. Harvey,

The previous order of business was suspended, and the House went into a committee of the whole on bill No. 56, with Mr. Meredith in the Chair.

And after some time spent therein, the committee rose and the Chairmin made the following report :

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House No. 56, have, according to order, had the same under consideration, and have adopted various amendments, and the committee ask leave to sit again to-morrow morning at 9½ o'clock.

Which request was granted by the House.

Mr. Harlan, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bills of the House, and find them correctly enrolled, viz :

No. 152. An act amendatory to an act entitled an act giving further time for the settlement of the revenue of Delaware county ;

No. 337. An act authorizing Mehala Proffit to discharge the duties of administratrix of her late husband's estate, and act as the guardian of her daughter.

Whereupon the speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

On motion by Mr. Thompson of G.,

The House adjourned until 2'clock, P. M.

2 o'clock, P. M.

The House met.

Mr. Nimmons asked and obtained leave to take from the files a petition of the citizens of Lagrange county in reference to the road laws.

The following message was received from the Senate, by Mr. Murphy, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bill of the Senate,

No. 243. An act amendatory of an act entitled an act to incorporate the White Water Valley Canal Company, approved January 20, 1842 ;

In which the concurrence of the House is respectfully requested.

No. 243, the bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Williams of M.,

Bills of the House Nos. 211 and 212 were taken from the table and placed on the files.

The following message was received from his Excellency the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on this day approve and sign the bill (No. 156) entitled an act amendatory to an act entitled, an act giving further time for the settlement of the revenue of Delaware county, which originated in the House of Representatives.

February 1st, 1848.

ORDERS OF THE DAY.

No. 88. A bill to incorporate the Evansville, Vincennes, and Terre Haute-Railroad Company.

Mr. Mills moved to recommit the bill to the committee on corporations, with instructions to amend the making Owensville and Cynthia points in the line of the railroad and Mount Vernon the terminus on the Ohio river ; which.

On motion by Mr. Lane,

Were laid on the table.

Mr. McDonald of L. moved the previous question ;

Which was seconded by the House;

And the question being, "shall the main question be now put?"

It was decided in the affirmative.

The question then being, "shall the bill pass?"

The ayes and noes were demanded by Messrs. Graham and Terry.

Those who voted in the affirmative are,

Messrs. Armstrong, Blythe, Brown, Covington, Criswell, Danner, Ford, Gooding, Goodman, Hall, Harding, Holden, Hull, Kennard, Kinney, Lane, McConnell, McDonald of A., McDonald of L., Meredith, Neal, Prather, Rulon, Stanton, Stone, Sullivan, Trimble, Widney, Winstandley, Wolfe, and Mr. Speaker—31.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Bowling, Bryant, Cambell, Carr, Chambers, Coble, Coffin, Colip, Commons, Cookerly, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Frazer, Fuller, Gordon, Graham, Hamilton, Hankins, Harlan, Harvey, Hetfield, Huddleston, Hunt, Jones of E., Jones of S., Lichteberger, Little, Lockwood, Lowe, Major, May, McCormick, McKinzie, Miller, Mills, Morrison, Nimmons, Norris, Orr, Orton, Parker, Richmond, Roache, Sackett, Short, Shryock, Slater, Smiley, Swihart, Terry, Thompson of C., Tinbrook, Williams of K.

So said bill did not pass.

Mr. Line was excused from voting on the bill.

Mr. Harlan, chairman of the committee on enrolled bills made the following report:

MR. SPEAKER:

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bill of the House, and find the same correctly enrolled, viz:

No. 105. An act to change the name of Ellen Narcissa Brown, to Ellen Maria Graham, and for other purposes.

Whereupon the Speaker signed the same.

Ordered, That the clerk take the same to the Senate for the signature of the President thereof.

No. 277. A bill to authorize the alteration of a certain road therein named;

No. 278. A bill to improve the roads in the county of Switzerland;

No. 279. A bill to authorize John G. Johnson of Owen county, to correct a mistake in a certain deed;

No. 280. A bill to change a certain State road therein named, in the county of Jackson;

No. 281. A bill to change a certain State road therein named, in Jackson county;

No. 282. A bill to locate a certain State road therein named;

- No. 283. A bill to incorporate the Council Grove Minute Men ;
 No. 286. A bill to locate a State road in the counties of Clay and Owen ;
 No. 288. A bill to locate a State road in the counties of Allen and Wells ;

Were severally read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

No 285. A bill repealing the law in certain counties authorizing the clerk to receive pay for extra services, and explanatory of the present law with regard to costs in State cases ;

Was read a second time and laid on the table.

No. 287. A bill to amend article 11 of chapter 30 of the Revised Statutes of 1843 ,

Was read a second time and referred to the judiciary committee.

No. 289. A bill to regulate the sale of spiritous liquors, in the county of Floyd ;

Was read a second time.

Mr. Dole moved to indefinitely postpone the bill,

Upon which the ayes and noes were demanded by Messrs. Dole, and Little.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Cole, Commons, Davis, Dimmett, Dole, Frazer, Gordon, Hamilton, Harding, Harvey, Huddleston, Hunt, Kinney, Lane, Line, Little, McCormick, McKinzie, Meredith, Miller, Ness, Norris, Parker, Prather, Sackett, Shryock, Stanton, Stone, Sullivan, and Swihart—36.

Those who voted in the negative are,

Messrs. Armstrong, Bowling, Campbell, Carr, Chambers, Colip, Covington, Danner, Dobson, Dougherty, Doyle, Dunham, Ford, Fuller, Goodman, Graham, Hall, Harlan, Hetfield, Holden, Hull, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lichteberger, Lockwood, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Morrison, Neal, Nimmons, Orr, Roache, Rulon, Short, Slater, Smiley, Terry, Thompson of Gibson, Tinbrook, Trimby, Widney, Williams of Knox, Williams of Madison, Winstandley, Wolfe, and Mr. Speaker—62.

So the bill was not indefinitely postponed.

On motion by Mr. Meredith,

The House adjourned until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, FEBRUARY 2, 1848.

The House met.

On motion by Mr. Cookerly,

The reading of the journal was dispensed with.

The following message was received from Senate, by Mr. Holway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof, to-wit :

No. 42. An act to authorize the sale of school lands in Jay county ;

No. 152. An act to amend an act entitled "an act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847 ;

In all of which the concurrence of the House is respectfully requested.

Said bills Nos. 152 and 42 in said message, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

On leave granted, the following petition was presented by Mr. Shryock :

Petition of sundry citizens of Fulton, Marshall, Pulaski, and Stark counties for the location of a road therein mentioned ;

Which was referred to a select committee of Messrs. Shryock, McConnell, and McDonald of Adams.

On leave granted, the following petition was presented by Mr. Cole :

Petition of Charles Cleland and others for the re-location of a portion of a State road in Miami county ;

Which was referred to a select committee of Messrs. Cole, Neff, and Carr.

On leave granted Mr. McDonald of Adams, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Milton Davis and 64 others of the counties of Huntington and Wells, praying for a change in the Fort Wayne and Indianapolis State road, have had that subject under consideration, and directed me to report the following bill and recommend its passage, viz. :

No. 349. A bill to change a part of the Fort Wayne and Indianapolis State road, in the counties of Wells and Huntington ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Neff made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill No. 268, entitled "an act to incorporate the town of Winchester," have had the same under consideration, and directed me to report the same back without amendment and recommend its passage.

Said bill No. 278 was then read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Dougherty on leave made the following report :

MR. SPEAKER :

The select committee to whom was referred "a bill to amend an act entitled 'an act to provide for the construction of a railroad from Martinsville, in Morgan county, to Franklin, in Johnson county,'" approved January 20, 1846, have had the same under consideration and have directed me to report the same back to the House, with the following amendment, and when so amended recommend its passage :

Insert in the proper place the following section :

Sec. —. That so much of said act, to which this is an amendment, as appoints and constitutes as commissioners on said road Samuel Herriott, Austin Jacobs, James Ritchey, Madison Vandever, and Jesse Williams, be, and the same is hereby, repealed.

The report was concurred in, the amendment was adopted, and the rules being suspended therefor, the bill was read a third time and passed.

Ordered, That the Senate be informed thereof.

The following message was received from the Senate, by Mr. English, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following bill, to wit :

No. 121. An act to amend an act entitled "an act to incorporate, the Ohio and Indianapolis Railroad Company," approved January 20, 1846 ;

In which the concurrence of the House is respectfully requested.

No. 121, in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Kinney made the following report :

MR. SPEAKER :

The committee on education to which was referred the bill in relation to the taking of the list of children in the county of Perry for school purposes, have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage :

No. 107. A bill in relation to the taking of the list of children in the county of Perry for school purposes ;

Was considered as engrossed, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from his Excellency the Governor by Mr. Sleeth, his Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on yesterday approve and sign, bill,

No. 337, entitled, "an act authorizing Mahala Proffit to discharge the duties of administratrix of her late husband, and act as guardian of her daughter," which originated in the House of Representatives.

February 2d, 1848.

The following message was received from the Senate by Mr. Test their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that in relation to the bill of the House No. 87, entitled "an act fixing the time of holding circuit courts in the county of Miami and for other purposes," the Senate have appointed Messrs. Stewart and Hardin a committee of free conference on the part of the Senate, to act with a similar committee to be appointed on the part of the House to adjust the matter of disagreement between the two Houses ;

Messrs. Brown and Harding were appointed a committee of free conference on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following bills thereof, to wit :

No. 11. An act to regulate the fees and emoluments of county officers in Marion county ;

No. 16. An act to Incorporate the Eel river manufacturing company, at Logansport ;

No. 24. An act to incorporate the Monticello hydraulic company ;

No. 28. An act to amend an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors ;

In all of which the concurrence of the House is respectfully requested.

Bills Nos. 16 and 24, in said message mentioned, were read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Bill No. 11, with an accompanying remonstrance, was read a first and second times and referred to the committee on ways and means ;

Bill no 28 was read a first time and ordered to a second reading on to-morrow ;

The following message was received from the Senate, by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to wit :

No. 47. An act to incorporate the Rushville and Lawrenceburgh railroad company ;

No. 53. An act to incorporate the Crawfordsville and Indianapolis railroad company ;

No. 72. An act to incorporate the Fairfield hydraulic company ;

No. 77. An act to incorporate the Madison and Brownstown turnpike company ;

No. 89. An act to incorporate the French Lick steam mill company ;

No. 94. An act to amend the 10th chapter of the Revised Statutes of 1843, in relation to the duties of county surveyors ;

No. 95. An act declaratory of the meaning of the 30th section of chapter 37, of the Revised Statutes of 1843 ;

No. 103. An act in relation to the suit of the Vincennes University, against the State of Indiana ;

No. 113. An act abolishing the office of school commissioner, in the county of Putnam ;

No. 118. An act to incorporate the Ripley county medical society ;

No. 120. An act for the relief of Patrick McGinley ;

No. 125. An act for the relief of Ann Henderson ;

No. 131. An act to amend an act to revive an act entitled "an act to incorporate the city of Logansport, approved January 13th, 1845 ;

No. 135. An act for the relief of John Boone ;

No. 205. An act for the relief of John Kearney, and to authorize him to sell certain real estate ;

No. 208. An act to authorize the erection of a certain bridge in Martin county ;

No. 210. An act to legalize the acts of the auditor of Steuben county for the year A. D. 1847 ;

In all of which the concurrence of the House is respectfully requested.

The Senate have also passed the following engrossed bill of the House without amendment, to wit :

No. 19. An act to repeal "an act in relation to Horses and Jackasses ;

They have also passed the following bills of the House, with certain amendments, to wit ;

No. 23. An act to locate a State road in the counties of Allen and De Kalb ;

No. 74. An act regulating special elections ordered by the Governor ;

In which amendments the concurrence of the House is respectfully requested.

Nos. 47, 53, 77, 72, 89, 103, 113, 118, 131, 135, 205, 208, 210, in said message mentioned, were read severally three several times and passed.

Ordered, That the Senate be informed thereof.

No. 120, was read two several times, the rules being suspended therefor, when,

Mr. Orr moved to amend by striking out "legal attainments;"

Which did not prevail.

Mr. Kinney moved to refer the bill to the judiciary committee with instructions to make the award when returned to the circuit court, have the same force and effect as awards in other cases, and the court may sit aside or confirm the said award, as in other cases of awards ; and to inquire whether a former decision

made in this case decided the merits of the claim of said McGinley ;

Which did not prevail.

Said bill was then read a third time and passed.

Ordered, That the Senate be informed thereof.

Bill No. 125, in said message, was read a first time and ordered to a second reading.

The amendments of the Senate to bills of the House No. 23 and 74, in said message mentioned, were concurred in.

Senate bill No 94 was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Meredith,

Indefinitely postponed.

Senate bill No. 95 was read a first and second times and referred to the judiciary committee.

Mr. Lane, on leave granted, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred House bill No. 343, for the benefit of the institution for the education of the blind, have had the same under consideration, and instructed me to report the same and recommend its passage.

Mr. Dunham moved to amend so that no appropriation beyond what shall be necessary for the purchase of the house and lot now occupied, shall be made.

Mr. Hamilton moved to lay the amendment on the table.

Which did not prevail.

And, pending the amendment by Mr. Dunham,

On motion by Mr. Meredith,

The bill was referred to the committee on ways and means with instructions to provide for a tax of any amount not exceeding two mills on the dollar to meet this appropriation.

On motion by Mr. Kinney,

The committee was further instructed as follows :

1st. That the committee be instructed to report whether it is for the interest of the State to purchase the building referred to in the bill.

2d. That said committee report what rent must be paid for the house occupied by said institution.

3d. What will be the cost of building a suitable house for said institution.

4th. That they report the number of persons that will require instruction in said institution for the ensuing year.

A message from the Senate, by Mr. Robinson, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to wit :

No. 236. An act to repeal an act entitled "an act to repeal an act incorporating the town of Greensburg, in Decatur county, Indiana," approved January 29, 1843, and for other purposes ;

In which the concurrence of the House is respectfully requested.

The Senate have also passed the following engrossed bill of the House without amendment, to wit :

No. 39. An act to amend an act entitled "an act granting to the citizens of the town of Evansville a city charter," approved January 27, 1847.

Said bill No. 236 was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Murphy, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate have passed the following engrossed bill thereof :

No. 112. An act to amend an act entitled "an act to incorporate the Knightstown and Shelbyville Railroad Company ;

In which the concurrence of the House is respectfully requested.

Said bill No. 112 was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Meredith,

The vote on the passage of Senate bill No. 152 was reconsidered, and,

On motion by Mr. Harvey,

The bill was laid on the table.

A message from the Senate, by Mr. Winchell, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to wit :

No. 39. An act to incorporate the Indianapolis and Bellefontaine Railroad Company ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 39, was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Harlan,
Was laid on the table.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to wit :

No. 62. An act for the benefit of S. C. Waller and George Green ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 62, was read three several time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with two amendments, to-wit :

No. 96. An act changing the venue in the case of the State of Indiana against Willis M. Miller, from the county of Daviess, in the tenth judicial circuit of the State of Indiana, to Dubois county, in the fourth judicial circuit ;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to said bill, No. 96, were adopted.

Ordered, That the Senate be informed thereof.

Also the following message from the Senate by Mr. Test :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 65. An act to vacate a portion of an addition to the town of Lafayette ;

No. 70. An act for the relief of the heirs of Anthony Schenets, deceased ;

No. 71. An act to authorize Matthias Peterson to convey water into the city of Lafayette ;

No. 83. An act to change the name of the town of Springfield, Whitley county, to the name of Cherry Valley ;

No. 84. An act for the relief of Michael Hedakin and others ;

No. 85. An act for the relief of Joseph Mathers ;

No. 86. An act to authorize Peter King to build a mill dam across the Mississinnewa river ;

No. 97. An act in relation to the election of President and Vice-President of the United States ;

No. 104. An act authorizing Thomas Ruble to build a mill dam across the Mississinnewa river ;

No. 136. An act authorizing the establishment of additional branches of the State Bank of Indiana ;

In all of which the concurrence of the House is respectfully requested.

The Senate have also passed the following engrossed bill of the House without amendment, to-wit :

No. 105. An act to change the name of Ellen Narcissa Brown to Ellen Maria Graham, and for other purposes.

No. 136, in said message mentioned, was read a first and second times and referred to the committee on the State Bank.

Bill No. 97 was also read a first and second times and referred to the committee on education.

Bills, Nos. 65, 70, 71, 83, 104, 84, in said message, were each read three several times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 85 was read a first and second times, when,
Mr. McDonald of Lake, moved to indefinitely postpone said bill ;
Pending which,

On motion by Mr. Dimmett,
The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

House met.

On leave granted,
Mr. Major made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of school district No. 2, of congressional township No. 14, range 6 east, in the county of Shelby, have had the same under

consideration, and have instructed me to report the following bill and recommend its passage :

No. 350. A bill forming section 4, 5, 6, 7, 8, 9, 16, 19 and 18, in township 14 north, of range 6 east, in one school districts ;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereof.

On leave granted.

Mr. Hull made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred the petition of " Washington Fire Company No. 2, Madison Indiana," praying for the passage of a law to encourage the organization of fire companies in this State, have had the subject under consideration, and directed me to report the accompanying bill and recommend its passage :

No. 351. A bill to encourage the organization of fire companies ;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Dole made the following report :

MR. SPEAKER :

The committee on canals and internal improvements to whom was referred the petition of sundry citizens on the subject of a railroad therein named, have considered the same, and directed me to report the following bill and recommend its passage :

No. 352. A bill to incorporate the Lafayette, Monticello, and Michigan City Railroad Company ;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Fuller introduced.

No. 353. A bill to incorporate the Booneville and Ohio River Railroad Company :

Which was read a first and second times, the rules being suspended therefor,

And referred to a select committee of Messrs. Fuller, Blythe, and DeBruler.

On leave granted,

Mr. Huddleston introduced,

No. 354. A bill changing the name of William Jackson to that of William Jackson Morgan ;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereto.

On leave granted,

Mr. Hall introduced,

No. 355. A bill authorizing the board of commissioners of Elkhart county, to direct the sale of certain school lands ;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereof.

The motion of Mr. McDonald of Lake, to indefinitely postpone Senate bill No. 86, pending at the adjournment, was then put and did not prevail.

Said bill was then read a third time and passed.

Ordered, That the Senate be informed thereof.

The following message was received from the Senate, by Mr. Test, their Secretary

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof, to-wit :

No. 137. An act incorporating the town of Huntington ;

No. 139. An act for the relief of A. G. Selman ;

No. 140. An act to incorporate the Portland and Ohio Railroad Company ;

No. 141. An act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Posey ;

No. 142. An act authorizing the commissioners of Lagrange county to sell the building erected for the purpose of a county seminary in said county ;

No. 143. An act to incorporate the Milton and Waterloo Turnpike Company ;

No. 144. A joint resolution relative to the National road ;

No. 146. A joint resolution relative to a mail route from Salem to Bloomington ;

In all of which the concurrence of the House is respectfully requested.

Nos. 137, 140, 142, 143, and 146, in the above message mentioned,

Were each severally read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereof.

No 139, in the above message mentioned,

Was read a first and second times, the rules being suspended therefor, and referred to the committee on claims.

No. 141, in the above message mentioned,

Was read a first and second times, the rules being suspended therefor, when,

Mr. Mills moved to amend said bill by striking out, in line 10 section 4, the figures "1848" and insert "1847."

Which motion prevailed.

Mr. Goodman moved to amend said bill by inserting at the proper place, Dubois county.

Which motion prevailed.

Mr. Neal moved to amend said bill by inserting at the proper place, Boone county.

Which motion prevailed.

And, on motion by Mr. Fuller,

Said bill was referred to a select committee of Messrs. Fuller, Thompson of G., and Graham.

No. 144, in the above message mentioned,

Was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Kinney,

Was referred to a select committee of Messrs. Kinney, Criswell, and Lockwood.

The following message was received from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to wit :

No. 167. An act for securing an effective supervision of the State Prison ;

In which the concurrence of the House is respectfully requested.

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Slater,

Was referred to the committee on the State Prison.

The following message was received from the Senate, by Mr. Robinson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following resolution :

Resolved, That the Senate will, the House concurring therein, adjourn *sine die* on Monday the 14th of February.

Mr. Lane moved to lay said resolution on the table.

The ayes and noes being demanded by Messrs. Stone and Bowling,

Those who voted in the affirmative are,

Messrs. Blythe, Bryant, Cole, Dobson, Dole, Frazer, Graham, Hankins, Harlan, Hunt, Jones of Bartholomew, Kinney, Lane, Line, Little, Lowe, Major, McDonald of Adams, Robinson, Rulon, Sackett, Shryock, Terry, Thompson of Carroll, Thompson of Gibson, Winstandley, and Mr. Speaker—27.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Bowling, Brown, Campbell, Carr, Chambers, Coble, Coffin, Colip, Commons, Covington, Criswell, Danner, Davis, Dimmett, Dougherty, Doyle, Ford, Fuller, Goodman, Gordon, Hamilton, Harding, Harvey, Hetfield, Holden, Huddleston, Hull, Jones of Switzerland, Kennard, Lichteberger, Lockwood, May, McConnell, McCormick, McKinzie, Meredith, Miller, Mills, Morrison, Neal, Neff, Nimmons, Norris, Orr, Parker, Prather, Richmond, Roache, Short, Slater, Smiley, Stanton, Stone, Swihart, Tinbrook, Trimby, Widney, Williams of Knox, Williams of Madison, and Wolfe—62.

So said resolution was not laid on the table.

Mr. Covington moved to amend said resolution by striking out the figures "14th" and insert the "8th."

Mr. Parker moved to lay said amendment on the table.

The ayes and noes being demanded by Messrs. Graham and Covington,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Campbell, Coble, Coffin, Cole, Colip, Commons, Criswell, Davis, Dobson, Dole, Frazer, Fuller, Gooding, Goodman, Gordon, Hamilton, Hankins, Harding, Harlan, Harvey, Hetfield, Huddleston, Hunt, Jones of Bartholomew, Kennard, Kinney, Lane, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, Meredith, Miller, Mills, Morrison, Neal, Nimmons, Norris, Orr, Orton, Parker, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Tinbrook, Widney, Williams of Knox, Winstandley, and Mr. Speaker—69.

Those who voted in the negative are,

Messrs. Armstrong, Bowling, Carr, Chambers,* Covington, Dimmett, Dougherty, Doyle, Ford, Graham, Holden, Jones of Switzerland, McKinzie, Neff, Roache, Short, Slater, Thompson of Gibson, Trimby, Williams of Madison, and Wolfe—21.

So said amendment was laid on the table.

Mr. Williams of K, moved to postpone the consideration of said resolution until Monday next.

Which motion did not prevail.

Mr. Harlan moved to postpone the consideration of said resolution until Tuesday next.

Which motion prevailed.

The Speaker laid before the House the following communication:

HON. W. A. PORTER,

Speaker of the House of Representatives:

SIR—The undersigned were appointed a committee, at a late meeting of the Indiana Historical Society, to request of the Honorable the General Assembly of the State, that the State Librarian should be authorized to have the valuable books and documents relating to the early history and natural resources of the State of Indiana, which have been or may yet be collected by the Society, as well as those presented from other States and Literary Societies, and gentlemen, put up and preserved in some suitable room in the State House, so as not to interfere hereafter with its occupancy by a Legislative committee, if desired.

Trusting that the object will commend itself to the regard of the General Assembly, and that the collections of the Society will afford matters of valuable research to the members of the Assembly, we very respectfully submit this note in discharge of the object of our appointment.

JAMES WHITCOMB,
JAMES M. RAY.

INDIANAPOLIS, January 24, 1848.

On leave granted, Mr. Orton introduced

No. 356. A joint resolution relative to the Indiana State Historical Society;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Clerk inform the Senate thereof.

On leave granted, Mr. Terry introduced

No. 357. A joint resolution on the subject of the laws of the Indiana Territory for the years 1801, 1802, 1803, and 1804;

Which was read three several times and passed, the rules being suspended therefor.

Ordered That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication, which was referred to the committee on claims :

To the Speaker of the House of Representatives :

SIR : By virtue of the authority contained in the joint resolution relative to the removal of the remains of the Hon. Tighlman A. Howard, approved January 26, 1847, Robert N. Allen, of Parke county, and Joseph I. Stretcher, of Marion county, (the latter being an undertaker,) were appointed to proceed to the State of Texas, remove the remains, and re-inter them at Rockville, in this State, which was the place designated by the bereaved family for that purpose. As it was understood that Brigadier General Lane, of the Indiana volunteers, had, before the appointment was made been detached to a considerable distance in the interior of Mexico it was deemed impracticable to make any arrangements with him in relation to the removal, in time for the object.

The accompanying paper is the account of the expenses incurred by Messrs. Allen and Stretcher in performing the duties of their mission, as rendered by them ; and also the amount advanced to them from the treasury for that purpose. I recommend a suitable additional allowance be made to them.

JAMES WHITCOMB.

January, 29, 1848.

The Speaker also laid before the House the following communication from the Governor :

To the Hon. WILLIAM A. PORTER,

Speaker of the House of Representatives :

SIR : I herewith transmit the by-laws, rules, and regulations established under the 6th section of "An act to lease the Indiana State Prison, and for other purposes," approved January 16, 1846, in obedience to the requirements of section 13 of said act.

I have the honor to be,

Very respectfully,

Your obedient servant,

JAMES WHITCOMB.

Which was referred to the committee the on State Prison.
Also the following communication from the Governor :

*To the Hon. W. A. PORTER,
Speaker of the House of Representatives :*

Herewith are transmitted certain resolution adopted by the General Assemblies of the States of Virginia, Connecticut, Tennessee, Rhode Island, and Alabama, to be laid before the body over which you preside.

I am, very respectfully,
Your obedient servant,

JAMES WHITCOMB.

February, 2, 1848,

STATE OF TENNESSEE,

EXECUTIVE DEPARTMENT,
NASHVILLE, DEC. 25, 1847. }

To His Excellency the Governor of the State of Indiana :

SIR: I have the honor herewith to transmit to you a certified copy of certain resolutions passed by the General Assembly of the State of Tennessee.

And have the honor to be,

With great respect,

Your obedient servant,

N. T. BROWN.

Resolutions approving of Mr. A. Whitney's plan of a Rail Road to connect the Atlantic and Pacific Oceans.

WHEREAS, The construction of a rail road across the Continent of North America, would make the United States the great highway between Europe and the populous and wealthy Empires of Asia—would greatly facilitate our own intercourse with these regions—would tend to consolidate our union—would connect and bind Oregon and the Pacific coast to us, and would give a fresh impulse to our great agricultural, manufacturing and commercial interests: AND, WHEREAS, This stupendous work can be accomplished, and the public lands constitute a fund appropriate for defraying the expenses of such an undertaking—as a small part of them would furnish the means, and the value of the remainder would be greatly enhanced thereby: AND, WHEREAS, The plan of Mr. Asa Whitney, of New York, in its great outlines, is, in our opinion, the only practicable scheme for the accomplishment of this great undertaking, which should be commenced as soon as practicable: Therefore,

Resolved, by the General Assembly of the State of Tennessee, That they approve of Mr. Whitney's plan, as explained by himself to

them, of constructing a rail road from Lake Michigan to the Pacific Ocean, from an appropriation of the public lands on its line, connecting the sale and settlement of the lands with the building of the road, making it an individual enterprise, still under the control of Congress.

2. *Resolved*, That the Senators and Representatives of this State in Congress be, and they are hereby, requested to give this measure their prompt attention and support.

3. *Resolved*. That His Excellency the Governor be, and he is hereby, requested to transmit a copy of these resolutions to the Executive of each State in the Union, and a like copy to the Senators and Members of the House of Representatives from this State in the Congress of the United States.

F. BUCHANAN,

Speaker of the House of Representatives.

J. M. ANDERSON,

Speaker of the Senate.

PASSED, December 1st, 1847

STATE OF TENNESSEE,

DEPARTMENT OF STATE,)

Nashville, December 25th, 1847. (

I, WILLIAM B. A. RAMSEY, Secretary of State, do hereby certify, the foregoing to be a full and true copy of resolutions passed by the General Assembly of said State, as appears from the original now on file in my office.

W. B. A. RAMSEY,

Secretary of State.

STATE OF ALABAMA.

EXECUTIVE DEPARTMENT,)

Montgomery, January 15, 1848. (

His Excellency the Governor of the State of Indiana :

SIR : I have the honor herewith to transmit to you a certified copy of certain resolutions passed by the General Assembly of the State of Alabama.

And have the honor to be,

With great respect,

Your obedient servant,

R. CHAPMAN.

1st. *Be it resolved, by the Senate and House of Representatives of the State of Alabama, in General Assembly convened*, That we approve of Mr. Whitney's plan of constructing a rail road from Lake Michigan

to the Pacific Ocean, from an application of the public lands on its line, connecting the sale and settlement of the lands with the building of the road, and in the end paying to the Government sixteen cents per acre for all the lands set apart for this work, making it an individual enterprise, but under the control of Congress for regulating and fixing the tolls of said road, only adequate to its management and repairs, and reserving the right to any of the States, with the assent of the intermediate States, to connect with the same.

2nd. *Resolved, further,* That the immediate prosecution of this enterprise be recommended to the favorable consideration of our Senators and Representatives in Congress.

3. *Resolved,* That His Excellency the Governor be requested to transmit to our Senators and Representatives in Congress, and to the Executive of the several States, copies of these resolutions.

JOHN A. WINSTON,

President of the Senate.

L. P. WALKER,

Speaker of the House of Representatives.

STATE OF ALABAMA.

DEPARTMENT OF STATE,}

Montgomery, January 15, 1848.}

I, WILLIAM GARRETT, Secretary of State, do hereby certify the foregoing to be a full and true copy of resolutions passed by the General Assembly of said State, as appears from the original now on file in my office.

W. GARRETT,

Secretary of State.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

EXECUTIVE DEPARTMENT,}

Providence, November 30, 1847.}

SIR: In compliance with a resolution of the General Assembly of this State, I have the honor to forward to you the accompanying documents

With much respect,

Your obedient servant,

ELISHA HARRIS.

To His Excellency the Governor of Indiana.

STATE OF RHODE-ISLAND AND PROVIDENCE PLANTATIONS.

In General Assembly, October Session, A. D. 1847.

Resolved, That a Railroad from lake Michigan to the Pacific coast is highly desirable, and if practicable, should be constructed. Such a work would open a vast unbroken wilderness for improvement and cultivation—would unite and bind together the people of the Atlantic and Pacific slopes, by connecting their interests and associations—would extend our commerce—advance the welfare of manufactures, and elevate the condition of man.

Resolved, That in our opinion, an expedient plan by which so stupendous a work can be accomplished, is, to appropriate and set apart the Public Lands along the line of the route, so that the sale and settlement thereof may be connecting with the construction of the work.

Resolved, That the plan of ASA WHITNEY, of New-York, as explained to us by himself, appears to be feasible, meets our approval, and we concur in recommending it to the favorable consideration of Congress.

Resolved, That the Governor cause copies of these resolutions to be forwarded to the Governors of each of the States respectively; and also to each of our Senators and Representatives in Congress.

True copy,

HENRY BOWEN, *Secretary*.

On motion by Mr. Meredith,

The communications and resolutions from Virginia and Connecticut mentioned in said message, were referred to a select committee of five: Messrs. Meredith, Orton, Sullivan, Harvey, and May.

The Speaker also laid before the House the following communication from his Excellency the Governor:

To the Speaker of the House of Representatives:

SIR:—I herewith transmit, to be laid before the House over which you preside, sundry accounts for expenses incurred in raising and organizing volunteers in this State during the years 1846 and 1847, and respectfully recommend that appropriations be made covering the claims presented. They are as follows, viz.:

| | | | | |
|---|---|---|---|---------|
| One in behalf of the county of Floyd, as certified by the | | | | |
| Auditor thereof, for | - | - | - | \$87 13 |
| One in behalf of Evi Kurtzman for | - | - | - | 57 50 |
| One in behalf of Tighlman Clark for | - | - | - | 65 50 |
| One in behalf of Thomas Linex for | - | - | - | 148 50 |

The three last items are certified by the gentlemen appointed on behalf of the State to discharge the duties of Commissary and

Quarter Master at New Albany, in relation to the three regiments raised in 1846, and I have full confidence in his judgment and accuracy.

| | | | | |
|--|---|---|---|---------|
| Also, a claim in behalf of John Lister for | - | - | - | \$20 00 |
| One of Nathan B. Palmer for (balance) | - | - | - | 129 35 |
| One of Indianapolis Branch Bank for balance of loan for volunteers in 1847, which includes interest to the 25th January, 1848, | - | - | - | 341 48 |
| One of Madison Branch for balance of loan for volunteers in 1847, which includes interest to the 25th January, 1848, | - | - | - | 175 20 |

The appropriation should authorize the payment of interest (when computed) on the last two items.

The claims of John Lister and N. B. Palmer duly appear in the accounts kept by the gentleman who was appointed to perform the duties of commissary at Indianapolis, for the troops raised at (or tarrying in) that place, in the year 1846. The claims for moneys advanced by the Branch Banks have been duly communicated by the proper officers thereof. As there is hope that the amount of these claims, or some part thereof, may be procured from the general government, I retain the originals for presentation for that purpose, and transmit copies. The originals are subject to the inspection of the appropriate committee, (to whom the subject may be referred,) at all times.

JAS. WHITCOMB.

January 27, 1848.

The foregoing claims mentioned in said communication was,

On motion by Mr. Prather,

Referred to the committee on ways and means.

The Speaker also laid before the House the following communication from the Governor:

To the House of Representatives:

GENTLEMEN — Within the first three days of the present session, (viz.: on the 7th of December, 1847,) I returned two several bills to your body, in which they had originated, with separate messages, giving the objections which had induced me to withhold my official approval of the same. These bills were passed by the General Assembly, at its last session, and were entitled, the one — “An act in relation to that portion of the northern division of the Central Canal which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county” — and the other — “An act for the relief of the White Water Valley Canal Company.” Soon after they were returned, they, with the messages which accompanied them, were laid on the table, (it seems,) but by some inadvertency, copies of the messages were not made out and included in the Jour-

nal of the House, of the day they were received, nor indeed of any subsequent day ; in consequence of which omission, they have not been printed in the Journal. But this is not the only evil consequence that might result from this omission. The constitution provides that when the Governor holds over a bill until the next session after its passage, "it shall be a law in like manner as if he had signed it," "unless it is sent back within three days after the next meeting." Now, unless there is *Journal evidence* of its having been so sent back with his objections, is it not at least doubtful whether it will not be deemed by the Courts as a law of the land ?

I am strongly impressed with the conviction that such would be the judicial decision upon the subject. The best, and indeed the obvious rule, it is respectfully suggested, is, to enter on the Journal at the time of its reception, any message whatever, from the Executive Department, that lies within the scope of its constitutional powers, and that is respectful in its terms. But in relation to messages from the Governor of the kind now referred to, it is expressly required by the constitution (Art. 4, Sec. 22) that the House "shall enter the objections [that is the message] at large upon their Journals, and proceed," &c., &c. As the best remedy for the omission, it is respectfully asked that a resolution be passed recognizing the return of the bills with the messages to the House of Representatives, on the 7th day of December, 1847, and that the messages as therein referred to, be included in and printed with the Journal of the day of the passage of the resolution, and immediately following the same.

JAMES WHITCOMB.

February 2d, 1848.

The speaker also laid before the house a petition from sundry citizens of Harrison county, relative to the delinquent tax list, and other matters therein named, which,

On motion by Mr. Prather,

Was referred to the committee on ways and means.

Mr. Prather, on leave granted, made the following report :

MR. SPEAKER :

The committee of ways and means, to whom was referred bill No. 163, have had the same under consideration and have made the following amendments thereto, and have directed me to report it back to the House for its consideration :

No. 163. A bill to provide for the election of township assessors and township collectors in Jennings county, and for other purposes.

The following are the amendments to said bill, reported by said committee :

Section first.—8th. Strike out 'incumbent' and insert 'county assessor.'

Section fifth.—Strike out all after the word 'and,' in the fourth line,

and in insert 'together with the county auditor and county commissioners, shall form a board of equalization to compare and equalize the county assessment, which, when so equalized, shall be ordered on file in the office of the county auditor.'

Section seventh.—After the word 'county,' at the end of the seventh line, insert 'and every first Monday of April thereafter.'

Section eighth.—Add—'shall be governed by the same laws as though he had been elected by the people.'

Eleventh section.—Sixth line after the word 'duplicate' insert 'what has not been previously paid.'

Fifteenth section.—After the word 'many,' at the end of the section, add 'and shall be subject to the same penalties that county treasurers are by law, to which this is an amendment.'

Which were adopted.

The bill was then considered as engrossed, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Wolf,

The following message, which was received from the Governor on the 7th day of December last and laid on the table, was taken up:

To the House of Representatives,

of the General Assembly of the State of Indiana :

GENTLEMEN — The accompanying bill, entitled "an act in relation to that portion of the Northern Division of the Central Canal which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county," was passed at the last session of the General Assembly, but not having been presented to me until within "five days" (indeed within less than twenty-four hours) of the final adjournment of that session, and the intermediate time not being sufficient for such a consideration of the bill as some of its provisions seemed clearly to demand, it was held over, as authorized by the constitution, and it is now respectfully returned to the house in which it originated, with the objections which have constrained me to withhold my approval of the same.

Passing by the previous sections of the bill, a few remarks will first be submitted in relation to the 20th section. That section provides that it shall be lawful for the Treasurer of State to loan to the White Water Valley Canal Company the State revenue collected and to be collected for the year 1846, in the counties of Wayne, Rush, Henry, Fayette, and Franklin, for the term of five years, provided said company shall give good and ample security for the full payment of such principal, and six per cent. interest per annum until paid.

By the act approved on the 20th of January, 1842, entitled "an act

to incorporate the White Water Valley Canal Company," the State transferred to that company all its rights to the line of the White Water Valley Canal, from the Ohio river to the National Road, all materials procured and privileges obtained therefor, and all expenditures which the State had made thereon; provided the company should complete the canal within five years from the first of March, 1842, to Cambridge city, and that the State should have the privilege of redeeming the canal after the period of fifteen years from its completion, by paying to the company the full amount of their expenditures in its construction.

The company was also empowered to fix and regulate the amount of, and receive all the tolls and charges on the canal, to make their own regulations and by-laws, and if broken, to sue upon them in any competent court for their own use and benefit. It appears further that the State had expended upon the canal before it was transferred to the present company more than one million of dollars, (\$1,101,224.22,) as appears by the Auditor's report of the 22d of November, 1842, communicated to the ensuing legislature. In return for all this, the State was not to receive any share of the profits or any thing else for the first fifteen years after the completion of the canal. And after that period, the company, first retaining eight per cent. clear of all expenses on the whole of their stock in the canal, were only to leave to the State the overplus, if any there should happen thereafter to be. When it is further considered that the sum expended upon the canal by the State, before its transfer, was more than double the amount since expended by the company in its completion, it will be admitted that the State has, by the terms and conditions of thus disposing of the canal, shown no lack of liberality towards the company.

But in addition to this, a loan is now sought from the State by the company under the present bill for the term of five years, of an amount of State revenue which (as computed in the Auditor's report of Nov. 3d, 1846) exceeds fifty thousand dollars.

By the 18th section of the company's charter, the president and directors of said company, or any agent by them lawfully authorized, were empowered to negotiate loans, and for the payment thereof on such terms as should be agreed upon, the bonds of the company were to be given, which, when duly issued, were to be a valid lien upon all the stock and effects of said company in the order of their issue; and all the effects of the company, both real and personal, were pledged for the punctual payment of the interest on said bonds and their ultimate redemption.

It thus appears that by the act of transfer, the company was empowered to contract debts which would be *prior liens* upon all their property. At the time of the passage of the bill under consideration, bonds of the company to the amount of more than \$112,000 had been issued, and were outstanding and unpaid; and if the canal and corporate property should be pledged to the State as a security for the loan contemplated to be made under this bill, it

would become a question whether such security would be satisfactory, encumbered as it would be by so large a debt which must first be paid. It appears to me, indeed, to be an objectionable feature of the present bill that it does not prescribe in a more definite manner, the kind of security that should be given.

Since the adjournment of the legislature, by certain proceedings in chancery, instituted by one Henry Vallette, as the complainant in the circuit court of the United States for Ohio, against said company, it appears that bonds (of those above mentioned) to the amount of \$112,000, dated January 1st, 1845, were decided to be liens preferable to any which the company could subsequently give.

An injunction was granted by the judge of that court at his chambers in Cincinnati, on the 26th of September last, prohibiting the company from doing certain acts prejudicial to the claim of the complainant, and requiring them to make report of their receipts and expenditures to said court, from time to time, until the whole of the demand shall be discharged.

Since that time it is understood that the works of the company have been again injured by a flood, and while the losses thus occasioned are much to be regretted, a due regard for the paramount interests of the State, requires that those losses should be considered as seriously diminishing the means of the company, and as impairing the security which the canal itself might otherwise have afforded for the repayment of the loan.

But another and still more serious objection to this section of the bill arises from the fact that at the last two sessions of the legislature, acts were passed providing for the final satisfaction of the State debt, upon terms, too, requiring no increase of taxes for that purpose, and for that very reason making all the available means in the treasury necessary to carry the arrangement into effect. These means would have been amply sufficient to meet the first instalment of interest, payable under this arrangement, in July last, had it not been for several extraordinary appropriations made at the last session of the legislature.

Owing to this circumstance, the Agent of State was compelled to supply temporarily, a small balance to enable him to meet the interest under positive requirements of law. Had the contemplated loan then been made to the White Water Valley Canal Company, as there was already a deficiency, it is clear that it would have been necessary for the State to have immediately turned round and borrowed the precise amount elsewhere, to make up the deficiency occasioned by such loan. But would not such a loan, at that particular time, have been calculated to shake the confidence of the State's creditors, in the faith of our late legislation? and would not its tendency have been to prevent the surrender of any bonds after the 1st of July last, and of thereby throwing the one half of them upon the Wabash and Erie Canal for satisfaction?

Enough bonds had been surrendered under that arrangement, by the day last named, to cause it to go into operation as the law of the land, and that being the case, even those originally opposed to

the arrangement itself, would be rejoiced to see as much of our State debt surrendered and satisfied under it as possible. Indeed, it would seem that the leading objection to the arrangement was, that but few bondholders, comparatively, would surrender under its provisions, and thus, controlling the canal, leave the large body of our creditors unprovided for. While it is gratifying to find that these fears are now shown to have been without substantial foundation, yet, it is apprehended, if the State, by making the loan sought by the present bill, had been compelled to go into the market as a borrower, to get the money wherewith to meet the first interest due on the surrendered bonds, it would have materially checked, if not entirely prevented, the surrender of any more.

The success of the plan which had been adopted for the arrangement of the State debt, depended upon the surrender, by the voluntary choice of the holders of the bonds which were outstanding; and there was strong reason to apprehend that a measure of this kind would have created a distrust in the minds of the bondholders of the faithful application of the State revenue to the payment of the interest under the new arrangement, and thus have induced them, to a great extent, to withhold their co-operation. Both sound policy and good faith therefore required that the means of the State should be carefully husbanded to meet the new engagements she had made, especially at a time when she was struggling earnestly to relieve herself from the financial embarrassments under which she had been so long and (in the estimation of many) hopelessly depressed. At such a time, it appears to me that too much caution cannot be observed in the adoption of any measure having a tendency to divert the resources of the State, and thus to prevent the accomplishment of this most desirable object.

The citizens of the State at large have cheerfully submitted to a State tax rated as high as they could well bear for the avowed purpose of paying the interest upon the public debt, and thus relieving themselves and the commonwealth from the stigma of insolvency or repudiation. If the loan now asked from the State should be granted, it necessarily follows that the tax payers of the State at large, including those of the White Water Valley, must be assessed as much more as will make up the deficiency. Are we sure that we have their consent to this? And it is not probable that this would long be the only deficiency of the kind to be thus supplied. If we have derived any one truth from the lessons of experience of the last thirteen years in this State, it is, that the grant of the favor now sought would stimulate and encourage similar applications from other quarters. It would be plausibly urged that each part of the State is as much entitled to be favored as the others; and it is quite doubtful if the precedent would not lead to a vicious and dangerous system of legislative expenditures, by exciting combinations of sectional interests for the purpose of aiding each other in procuring contributions from the treasury. Similar influences and a similar policy once brought our young State to the brink of ruin,

from which we are but just extricated; and it is hoped we may avoid the seductive whirlpool of debt and insolvency hereafter. It is true, it may be said that this is only a loan, but experience has proven that public money invested in whatever manner in a private enterprize, is but too frequently surrendered or otherwise ultimately lost.

But there is another view of this question, which, in my judgment, is equally conclusive against it. There is, at this time, beyond doubt, a larger amount of capital in the United States in the hands of enterprising individuals than at any former period of our history. The security intended to be given by the company for the proposed loan, whether by a pledge of the profits of the canal, or otherwise, is either good, or it is bad. If it be a bad security, the money of the people ought not to be lent upon it; and if it be good, there will be no difficulty in procuring the loan from capitalists. And it is gratifying to reflect that the failure of the bill now under consideration to become a law at the last session, did not prevent the completion of the repairs on the canal, for which the loan was sought. The same consideration, it is hoped, will enable the company to effect the repairs required by a more recent injury.

The remaining sections of the bill are mainly occupied in relation to that part of the northern division of the Central Canal which is indicated by its title.

The eighth section appropriates all money due from lessees of water power thereon, and the further sum of fifteen thousand dollars from the treasury, for repairs. As an expenditure equal to making these repairs was already authorized by the act of the General Assembly, approved January 13, 1846, if, in the opinion of the Secretary, Treasurer, and Auditor, it was deemed indispensable to repair any unusual breach therein, it did not become necessary for me to decide as to the propriety of the appropriation by the present bill. The expenditure would have been made it is presumed whether the present bill had been approved or not. I will merely remark, however, that the statement of the Auditor, in his annual report of this session, "that the State officers, after mature deliberation, and *with the sanction of the Governor*, determined that they could not discharge their duties without authorizing the agent to proceed to let out the work, (for repairs,) and bring it into use as soon as possible," could hardly have been intended to mean more than my legal opinion as an individual as to the meaning of the act of January 13, 1846, for it is clear I had no *official* sanction to give by the terms of the law to make it operative, and still less could my sanction be claimed for the *mode* that was adopted for making the repairs, as I gave my opinion in favor of dividing the work into smaller jobs as being calculated to finish the repairs sooner and cheaper than by the system of large contracts. I also advised a somewhat longer notice, so as to invite a larger competition. My advice was adopted, I am informed, so far only as to extend the time three days

longer for commencing operations. Having no legal control in the matter my opinion was only *advisory*, and as I professed no practical skill in the subject, it was given with deference. The matter is now referred to (after what has been said) only for the purpose of placing myself right in the premises, and not for the purpose of censuring others.

Before dismissing this subject, I would respectfully recommend that in appointing commissioners to hear and settle all matters in controversy between the State and the lessees of water power on the Central Canal, as provided in the first part of the bill, provision be also made that the assent of the lessees severally to the arrangement be ascertained, that the commissioners, or others, be authorized to make new contracts with the lessees, by which the latter shall be empowered and required to take charge of and keep the canal in repair at their own expense until needed by the State for purposes of navigation, in consideration that the present amount of their rent shall undergo a reasonable and corresponding reduction. I believe such a change might be made as would be far more advantageous to all parties concerned, than the present plan. It is respectfully suggested too that provision be made that no settlement reported by the commissioners, nor any new or modified contract made by them, be regarded as valid until confirmed by the Legislature, or some other tribunal. This seems to be required no less by the interest of the parties, than as an act of justice to the feelings and motives of the commissioners themselves.

In conclusion, the regret I have felt in differing in opinion on the important questions involved in this bill, has been greatly lessened by the reflection, that the canal repairs therein contemplated have already been effected, and, it is trusted, as well and as early as though the bill had been approved; and in the further reflection that it is yet competent for a bare majority of the members elected in each House to pass it notwithstanding my dissent.

JAMES WHITCOMB.

December 7th, 1847.

The question was then put,

"Shall the bill become the law notwithstanding the objections of the Governor?"

Those who voted in the affirmative are,

Messrs. Commons, Criswell, Gooding, Gordon, Hankins, Huddleston, Meredith, Neff, Orr, Prather, Sackett, and Stone—12.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Blythe, Bowling, Bryant, Campbell, Carr, Chambers, Covington, Danner, Davis, Dimmiett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Fuller, Goodman, Graham, Hall,

Harding, Harlan, Harvey, Hetfield, Holden, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McKinzie, Mills, Morrison, Neal, Nimmons, Norris, Parker, Richmond, Roache, Robinson, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimble, Widney, Williams of K., Winstandley, Wolfe, and Mr. Speaker—69.

So said bill does not become the law.

The following message, which had been received and laid on the table on the same day with the foregoing, was also taken up :

To the House of Representatives of Indiana.

GENTLEMEN :—The accompanying bill entitled “an act for the relief of the White Water Valley Canal Company,” was passed at the last session of the General Assembly, but not having been presented to me for approval, until within the last three days before the final adjournment, the same is now returned, as permitted by the constitution, to the House in which it originated, with the objections which have constrained me to withhold my approval of the same.

Briefly stated, the bill extends the time in which the company are required by their charter to complete the construction of the canal for the space of one year from March 1st 1847, it authorizes the creation of an additional amount of capital stock for *construction*, equal to the cost of again placing the canal in navigable order ; it authorizes the commissioners of any county in the State, to subscribe for and take on behalf of their county, any amount of stock they may think advisable, to aid the company in constructing the canal, and placing it in navigable condition ; to issue “county orders,” in sums not less than two, nor more than ten dollars, to an amount equal to their said subscription ; to deliver the orders on demand to the company, and to levy a tax on the taxable property of their county, for the two succeeding years sufficient for the redemption of one half the amount of the county orders in each year. It is further provided, that immediately upon subscribing stock, the commissioners shall publish the fact, and call upon the legal voters of the county to meet at the Court House within thirty days thereafter and there, under the direction of the commissioners, to ratify or reject their said action, by voting at a poll to be opened, a majority of the whole number voting, to determine the question. It was already provided by the charter of the company, that the capital stock of \$500,000 might be increased to double that amount to *finish it*, or to make *hydraulic works*, but that the company should be bound to keep the canal in *repair*. The first section of the bill however, as already stated, provides that the cost of repairs requi-

red by the damage occasioned by the heavy rains last winter, may be regarded as "additional capital stock for *construction*."

The effect upon the public interest by this provision, would be that as the State is by the company's charter, to receive after a certain period, all the profits of the canal over eight per cent. on the capital stock, clear of expenses, the proposed increase of that stock (by the expense of repairs which the company is already bound to perform) if it does not destroy, will certainly lessen the chance of any dividend for the State.

The plan proposed, of taking stock in public works by counties, payment being made therefor in county orders, it seems to me, is worth of serious examination, and suggests sundry grave questions. As these orders are only payable in future, (by the present bill, in one and two years,) has not experience abundantly proven that they must inevitably depreciate? Will not this depreciation to a great extent fall upon those the least able to bear it? Will it not in this way become an indirect tax of an oppressive character? While credit is conceded at times to be useful, yet is not the mode proposed, one of the worst forms of credit, that of a depreciated currency? As such a currency must fail of effecting a given extent of repairs, or other work somewhat in proportion to its depreciation, and yet as it must be afterwards redeemed *at par* by county taxation, is not its employment bad economy?

As the worst currency in a community invariably excludes the best from circulation, to the extent of its amount, is there not danger, if this system of issuing county orders to a large amount, and for objects beyond the legitimate expenses of the county, should generally prevail, that we shall again be plunged into the embarrassments of a depreciated scrip currency, to an extent beyond our past experience, deceptive in its character, and operating as an onerous tax upon the industry of the State?

If a majority of the voters of a county are in favor of the county's taking stock in a public work, had they not better prove their willingness by taking stock individually, rather than compel their neighbors to do so, who may not feel able to pay, or who may be opposed to the scheme? Granting for the present, that they may be vested with the legal *power*, yet has the majority of the voters of a county the moral *right*, to force their unwilling neighbors into a speculation or moneyed investment, which does not come within the scope, or the objects of their county organization, or as it may be termed, of their social and political partnership?

Had not the construction of public works, (other than the improvement of navigable waters,) better be left in general to private capital and enterprise, under the great law of supply and demand? Have we not now more solid capital in the country than ever before? Has not experience shown that private funds will be far more faithfully and economically expended and applied, than public funds in such enterprises? Will not the system of counties' taking stock in such works, involve the great danger of the State being ultimately shingled over in its length and breadth with another

mous debt? Is not the estimated property of a county a fallacious criterion as to its ability to take stock? Will it not rather depend on the amount of money there may happen to be in the pockets of its citizens at the time they are periodically called upon to pay their taxes?

If the people of Indiana have deliberately resolved upon any one measure, is it not that the State shall never again embark in any scheme or system that tends to extensive indebtedness? Is it not the part of prudence to guard against evils of this character, if evils they are found to be, at the commencement?

I have neither the time nor is it necessary now to discuss, or pronounce definitively upon all these questions. I respectfully present them for the consideration of the legislature, in case the subject should be further entertained.

Independently of them, it seems to me, that a radical imperfection exists in the bill. Should it be deemed expedient to leave the grave questions to the voters of a county, whether it shall take stock in a public work and to what amount, it seems to me that the most ample opportunity should be afforded to all the citizen electors, whose interests are so deeply involved in the matter, to appear at the ballot box.

The fifth section of the present bill however, authorizes and requires the voters to appear at but one precinct in the county, (the Court House,) instead of allowing them as in other elections, to vote in their respective neighborhoods. It also authorizes the commissioners to open the poll "*within* thirty days," after they subscribe the stock. It is true this may be a twenty-nine days notice, and it is just as true that a notice of but one day would be a compliance with the terms of the bill.

But a small part of the citizens of any one of our middle sized counties, could vote at but one precinct in the course of the day. If the polls should be kept open from day to day long enough for all to vote, many would be kept waiting for an opportunity at a great loss of time, and many others it is feared, would be prevented from appearing at the polls at all, from the same consideration. If but a short notice of the election should be given, but few it is feared, would have knowledge of it, and if full notice should be afforded and a full attendance procured, many would be in danger of losing their votes by being restricted to but one precinct. When it is considered that it has been found necessary to authorize two precincts for elections in many of our towns, the propriety of having more than one for a county at large, is manifest. In view of the latter consideration, and independently of the questions above suggested, it is hoped that no apology is needed for again referring the whole subject to the wisdom of the legislature.

JAMES WHITCOMB.

December 7th, 1847.

And the question being put ;

"Shall the bill become a law notwithstanding the objections of the

Those who voted in the affirmative are :

Messrs. Coffin, Commons, Gooding, Gordon, Hankins, Huddleston, Meredith, Neff, Orr, and Stone—10.

Those who voted in the negative are,

Messrs. Armstrong, Blythe, Bowling, Bryant, Campbell, Carr, Chambers, Cole, Colip, Covington, Criswell, Danner, Davis, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Fuller, Goodman, Graham, Hall, Harlan, Harvey, Hetfield, Holden, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Little, Lockwood, Major, May, McConnell, McDonald of Adams, McKinzie, Miller, Mills, Morrison, Neal, Nimmons, Norris, Orton, Richmond, Roache, Robinson, Rulon, Short, Shryock, Smiley, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimby, Williams of Knox, Williams of Madison, Winstandley, Wolf and Mr. Speaker—69.

So said bill did not become a law.

On motion by Mr. Meredith,

The house took up bill of the Senate,

No. 90. A bill to incorporate the Mississippi and Ohio railroad company;

Which was read a second time.

Mr. Short offered the following amendment :

Strike out the 28th section and insert in lieu thereof the following section :

SEC. 28. No higher rate of an ad valorem or other tax shall be imposed upon the stock or property of said company, than is imposed upon stock or other property in the State, in rateable proportion to its value, or income, and that only upon or in proportion to the actual cost of construction of said road, within the State of Indiana;

Which was adopted.

On motion by Mr. Hull,

Said bill was referred to the committee on corporations.

ORDERS OF THE DAY.

No. 289. A bill (House) to regulate the sale of spirituous liquors in the county of Floyd ;

Which was pending at the adjournment on yesterday was taken up.

Mr. Stanton moved to refer the bill to a select committee,

Which did not prevail.

The bill was then ordered to be engrossed.

Mr. Winstandley moved to suspend the rules for the purpose of reading the bill a third time ;

And the ayes and noes being demanded by Messrs. Shryock and Dole,

Those who voted in the affirmative are,

Messrs. Armstrong, Campbell, Carr, Covington, Danner, Davis, Dobson, Doyle, Dunham, Ford, Fuller, Goodman, Graham, Hall, Harding, Harlan, Harvey, Hetfield, Holden, Jones of B., Jones of S., Kennard, Lockwood, Lowe, Major, May, McConnell, McDonald of Adams, Mills, Neal, Nimmons, Norris, Orr, Orton, Roache, Rulon, Sackett, Short, Slater, Smiley, Terry, Thompson of Gibson, Tinbrook, Widney, Williams of Knox, Williams of Madison, Winstandley, and Wolfe—50.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Bowling, Brown, Bryant, Coble Coffin, Cole, Colip, Commons, Criswell, Dimmett, Dole, Dougherty, Frazer, Gooding, Gordon, Hamilton, Hankins, Huddleston, Hunt, Kinney, Lichteberger, Little, McCormick, McKinzie, Meredith, Miller, Morrison, Parker, Richmond, Robinson, Shryock, Stanton, Stone, Swihart, Thompson of Carroll, and Mr. Speaker—39.

So the rules were not suspended.

On motion by Mr. Miller,

The House adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING FEBRUARY 3, 1846.

The House met.

On motion by Mr. Stone,

The reading of the journal was dispensed with.

Mr. Neff was excused attendance at present in the House, on account of sickness.

Mr. Stone asked and obtained leave of absence to attend Mr. Neff home:

On leave granted,

Mr. Nimmons introduced,

No. 358. A bill providing for the payment of certain moneys to Justice C. Alvord, and Homer King, and for other purposes ;

Which was read a first and second times, the rules being suspended therefor.

And on motion by Mr. Harlan,

Was referred to a select committee of Messrs. Harlan, Nimmons, Terry, Dunham, and Meredith.

On leave granted,

Mr. Dole introduced,

No. 359. A bill to establish an additional place of holding elections in Helt township, Vermillion county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Wolfe introduced,

No. 360. A bill to repeal the latter clause of the 6th section of an act in reference to the Central canal, approved January 13, 1846 ;

Which was read a first time and ordered to a second reading.

On leave granted,

Mr. Coble introduced,

No. 361. A bill to authorize Libbeus Frisbie to build a bridge across Blue River at Milltown in Crawford county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Ford introduced,

No. 362. A bill authorizing an additional place of holding elections in Hamilton township, Jackson county ;

Which was read a first time and ordered to a second reading.

ORDERS OF THE DAY.

Bills on Second Reading.

No. 211. A bill authorizing the board of Madison county commissioners to do a certain act ;

Was read a second time, when,

Mr. Wolfe moved to amend said bill, by striking out that part which requires publication in the Indiana State Journal.

Mr. Cookerly moved to amend the amendment so that the "Secretary of State be required to forward a certified copy of the bill to the clerk of Madison county ;

Which was adopted,

When the rules were suspended therefor, and the bill read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 212. A bill to authorize the board of commissioners of Madison county, to use certain stone therein named ;

Was read a second time, when,

Mr. Colip moved to amend said bill, by adding " Hamilton county " in the provisions of the bill ;

Which was adopted, when,

On motion by Mr. Harvey,

The bill was referred to the committee on internal improvements.

No. 290. A bill incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company ;

No. 291. A bill to authorize the voters of certain townships to sell their school lands ;

Which were each severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 292. A bill to relocate a part of the Richmond and Loganport State road in the county of Delaware ;

Was read a second time, when,

Mr. Orr moved to indefinitely postpone said bill,

Which motion did not prevail, when,

Mr. Orr moved to recommit said bill,

Which motion did not prevail, when,

The bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 293. A bill to locate a State road therein named ;

No. 294. A bill to locate a State road in Allen and DeKalb counties ;

No. 295. A bill regulating the sale of spirituous liquors in the town of Centreville, in Wayne county ;

No. 296. A bill to authorize the board of commissioners to lease the seminary in the county of Wayne ;

No. 297. A bill to incorporate the town of Clinton, in Vermilion county .

Which were each severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 298. A joint resolution of sympathy with Pope Pius the Ninth, for his efforts in behalf of liberal reform in his dominions ;

Was read a second time, when,

Mr. Rulon moved to indefinitely postpone said resolution.

Mr. Ford then moved the previous question,

Which was seconded by the House.

The question then being,

" Shall the main question be now put ? "

It was decided in the affirmative.

The main question being,

"Shall the bill be engrossed for a third reading?"

The ayes and noes being demanded by Messrs. Rulon and Slater,

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blythe, Bowling, Bryant, Campbell, Chambers, Coble, Cole, Colip, Commons, Cookerly, Covington, Criswell, Danner, Davis, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Gooding, Goodman, Gordon, Graham, Hall, Hamilton, Hankins, Harding, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Keiser, Kennard, Lane, Lichteberger, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Mills, Morrison, Neal, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Shryock, Smiley, Sullivan, Swihart, Terry, Widney, Williams of Knox, Williams of Madison, and Winstandley—73.

Those who voted in the negative are,

Messrs. Carr, Coffin, Fuller, Kinney, Line, Lockwood, Robinson, Rulon, Slater, Stanton, Trimby, and Mr. Speaker—12.

So said joint resolution was ordered to be engrossed.

On motion by Mr. Meredith,

The rules were suspended therefor, and said joint resolution was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 299. A joint resolution in relation to the books and documents of the Indiana Historical Society ;

Was read a second time, and,

On motion by Mr. Hunt,

Was laid on the table.

No. 300. A bill to repeal an act giving the right to the voters of Marion county to decide as to authorizing license to retail spirituous liquors in their townships ;

Was read a second time, and,

On motion by Mr. Harding,

Was laid on the table.

No. 301. A bill to incorporate the Cambridge and Milton Turnpike Company ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 302. A bill authorizing the State Librarian to purchase a portrait of General George Washington ;

Was read a second time, when,

Mr. Gooding moved to lay said bill on the table.

Which motion did not prevail.

Mr. Gooding moved to refer said bill to a select committee.

Which motion did not prevail, when,

Mr. Wolfe moved to indefinitely postpone said bill.

Which motion did not prevail, when,

Mr. Harvey moved to amend said bill by striking out the 2d section and add the following to the 1st section :

“At a cost not exceeding two hundred dollars.”

Which was adopted, when,

Mr. Jones of S., moved to amend Mr. Harvey's amendment by making the cost not to exceed two hundred and fifty dollars.

Which motion did not prevail, when,

Mr. Wolfe moved to lay said bill on the table.

And the ayes and noes being demanded by Messrs. Wolfe and Nimmons,

Those who voted in the affirmative are,

Messrs. Neal, Nimmons, Short, Trimby, and Wolfe—5.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Blythe, Bryant, Carr, Chambers, Coble, Coffin, Cole, Colip, Commers, Cookerly Covington, Criswell, Danner, Davis, Dimmett, Dobson, Dole, Dougherty, Doyle, Fuller, Gooding, Gordon, Graham, Hamilton, Hankins, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Kinney, Lane, Lichteberger, Line, Lockwood, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Norris, Orr, Orton, Parker, Prather, Richmond, Roache, Robinson, Rulon, Sackett, Shryock, Smiley, Stanton, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Widney, Williams of Knox, Winstandley, and Mr. Speaker—73.

So said bill was not laid on the table.

Mr. Rulon moved to amend said bill by adding the following section :

SEC. —. That the portraits of Jefferson and Franklin be also purchased at the same time, at such price as may be agreed upon, not exceeding the sum of three hundred dollars.

Mr. McDonald of A., moved to amend the amendment by stating, “That the members of this House will each appropriate the sum of one dollar toward purchasing the portrait of Washington.”

Mr. Dole moved to lay the amendment on the table.

Which motion prevailed.

Mr. Meredith moved to reconsider the vote on Mr. Harvey's amendment.

Which motion prevailed.

Mr. Harvey then withdrew his amendment to the first section of said bill, but insisted on retaining his amendment to the 2d section.

Which was adopted.

Mr. Hull moved to refer said bill to a select committee.

Mr. Meredith moved the previous question.

Which was seconded.

The question then being,

"Shall the main question be now put?"

It was decided in the affirmative.

The main question being,

"Shall the bill be engrossed for a third reading?"

It was decided in the affirmative.

Mr. Meredith moved to suspend the rules to read the bill a third time now.

Which motion prevailed.

The bill being read a third time, the question being,

"Shall the bill pass?"

Mr. Williams of K., moved to refer said bill to a select committee with the following instructions:

"That it shall be the duty of the Treasurer of State to retain the sum of one dollar out of each member for the purpose of paying for the same."

Mr. Cookerly moved to strike out the word "one" and insert "two," in said amendment;

Which amendment was accepted by the mover.

Mr. Wolfe moved to amend the amendment by striking out the word "two" and insert the word "three."

Mr. Neal moved the previous question.

Which was seconded.

The question then being,

"Shall the main question be now put?"

It was decided in the affirmative.

The question then being,

"Shall the bill now pass?"

The ayes and noes being demanded by Messrs. Wolfe and Ford.

Those who voted in the affirmative are,

Messrs. Armstrong, Bowling, Bryant, Coble, Cole, Colip, Commons, Cookerly, Covington, Criswell, Dimmett, Dougherty, Ford, Fuller, Gooding, Graham Hankins, Harding, Harvey, Holden, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Keiser, Kinney, Lane, Line, Lowe, Major, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Shryock, Smiley, Stanton, Sullivan, Thompson of Carroll, Thompson of Gibson, and Mr. Speaker—51.

Those who voted in the negative are,

Messrs. Albin, Coffin, Danner, Davis, Dunham, Frazer, Goodman, Hall, Hamilton, Hetfield, Kennard, Lichteberger, Lockwood, May, McConnell, McDonald of Adams, Neal, Nimmons, Norris, Rulon, Short, Slater, Swihart, Tinbrook, Trimbley, Williams of Knox, Williams of Madison, and Wolfe—28.

So said bill passed.

No. 303. A bill to repeal a part of an act entitled "an act to change the times of holding the probate court in Ripley county ;"

Was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Jones of Switzerland,

Was referred to a select committee of Messrs. Jones of Switzerland, Morrison, and Criswell, with the following instructions :

"Amend the bill so as to allow the Judge of said probate court of Ripley county hereafter the sum of two dollars per day for his services ;"

No. 304. A bill to repeal a certain act therein named ;

Which was read a second time and ordered to be engrossed for a third reading.

No. 305. An act to authorize clerks of circuit courts to take and approve certain bonds ;

Was read a second time and referred to the judiciary committee.

No. 306. A bill to legalize the acts of the probate judge of La-grange county ;

No. 307. A bill concerning the duties of clerks of the circuit courts in this State ;

No. 309. A bill defining the duties of the Treasurer of Shelby county ;

Which were each severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 310. A bill for relief in certain case ;

Which was read a second time, and referred to the judiciary committee.

No. 311. A bill providing for the procuring of additional copies of the Revised Statutes of 1843, in the county of Kosciusko ;

No. 312. A bill in relation to the duties of Auditor of State and Commissioners of the Sinking Fund ;

Were each severally read three several times—the rules being suspended therefor—and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 313. A bill to amend an act entitled "An act concerning free negroes, mulattoes, servants and slaves," approved February 10, 1831 ;

Was read a second time and referred to the judiciary committee.

No. 314. A bill to provide for ditching in the counties of Adams and Wells ;

Was read a second time, and laid on the table.

No. 315. A bill to incorporate the Peru, Rochester, and South Bend Rail Road Company ;

Was read a second time and referred to the committee on corporations.

No. 316. A bill amending section 453 of the Revised Statutes of 1843, and for other purposes ;

Was read a second time, and

On motion by Mr. Harvey,

Referred to a select committee of Messrs. Harvey, De Bruler, and Sackett.

No. 317. A bill in reference to the fees of the clerk of Sullivan county ;

No. 318. A bill for the relief of Dempsey Linton, of Randolph county ;

Which were each severally read three several times—the rules being suspended therefor—and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 319. A bill to explain the meaning of section 110, article 4, chapter 35, of Revised Statutes of 1843 ;

Was read a second time, and

On motion by Mr. Harvey,

Was referred to the judiciary committee.

No. 320. A bill to reduce the fees of the clerk in the probate court in the county of Knox ;

No. 321. A bill to authorize the Board of Commissioners of the county of Grant to order an election for an additional Justice of the Peace in Centre township, and for other purposes :

No. 322. A bill to authorize the board doing county business in the county of Dubois, to levy or dispense with a road tax, in their discretion ;

Which were each severally read three several times—the rules being suspended therefor—and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 323. A bill giving associate and probate judges jurisdiction in certain cases ;

Was read a second time, and was,

On motion by Mr. Harvey,

Referred to the judiciary committee.

No. 324. A bill in relation to the saline lands in this State ;

Was read a second time, and was,

On motion by Mr. Wolfe,

Referred to the judiciary committee.

No. 325. A bill for the relief of Lyria Aldrich ;

No. 326. A bill to amend the 76th section of chapter 15, article 3, of the Revised Statutes of 1843 ;

Which were each severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 327. A bill authorizing Samuel Miles, administrator of the estate of Malthea Phipps, deceased, to take a change of venue ;

Was read a second time, when,

Mr. Dobson moved to indefinitely postpone said bill

Which motion did not prevail.

On motion by Mr. Bowling,

Said bill was laid on the table.

No. 328. A bill relative to the duties of justices of the peace ;

Was read a second time, and was,

On motion by Mr. Harvey,

Referred to the judiciary committee.

Mr. Dunham moved to adjourn ;

Which motion did not prevail.

No. 329. A bill for the relief of purchasers of school lands in the counties of Carroll and Clinton ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 330. A bill to amend the 73d section of chapter 7, of the Revised Statutes of 1843 ;

Was read a second time and referred to the judiciary committee ;

No. 331. A bill to authorize county surveyors to administer an oath and another purpose ;

Was read a second time and referred to a select committee of Messrs. Dobson, Orton, Wolf, and Lockwood.

No. 332. A bill to provide for the survey and record of roads in Elkhart county ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from his Excellency the Governor by Mr. Sleeth, his private secretary:

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did, on this day, approve and sign bill

No. 105. An act to change the name of Ellen Narcissa Brown to that of Ellen Maria Graham, and for other purposes ;

Which originated in the House of Representatives.

February 3d, 1848.

On motion by Mr. Dobson,
The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met.

On leave grated,

Mr. Fuller made the following report from a select committee :

MR. SPEAKER :

The majority of the committee to whom was referred the bill to incorporate the Booneville and Ohio Railroad Company, have had that matter under consideration, and directed me to report the same back to the House and recommend its passage :

No. 353. A bill to incorporate the Booneville and Ohio Railroad Company.

Was read a second time and ordered to be engrossed for a third reading.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, to-wit :

No. 98. An act to incorporate the town of Peru.

Mr. Kinney moved that the House go into a committee of the whole on the school bill ;

Which motion did not prevail.

No. 333. A bill to authorize the sale of the library of Decatur county ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 334. A bill to continue in force certain act therein named ;
Was read a second time and laid on the table.

No. 335. A bill to extend the provisions of a certain act therein named to the counties of Jay and Blackford ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 336. A bill to amend chapter 8 and 28 of the Revised Statutes, defining the duties of county recorders, and for the preservation of the records of deeds and mortgages ;

Was read a second time, and,

On motion by Mr. Cookerly,

Was referred to the judiciary committee.

No. 339. A bill to repeal the 4th section of the 47th chapter of the Revised Statutes, so far as relates to Elkhart county ;

Was read a second time, when

Mr. Keizer moved to amend by inserting Allen county in the provisions of the bill.

Which motion prevailed.

Said bill was then read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 340. A bill declaring George W. Brown successor in office to William Dehority, late a justice of the peace of Madison county ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 341. A bill to strike out part of the second section chapter 63, Revised Statutes of 1843 ;

Was read a second time, and,

On motion by Mr. Dunham,

Said bill was indefinitely postponed.

No. 342. A bill to amend an act entitled "an act regulating the fees and salaries of the several offices and persons therein named ;

Was read a second time, and,

On motion by Mr. Jones of Switzerland,

Said bill was referred to the committee on fees.

No. 348. A bill to impose additional duties on the prosecuting

attorneys of the 12th judicial circuit of this State, and for other purposes ;

Was read a second time, and referred to the judiciary committee.

Mr. Meredith moved that the House go into committee of the whole on the school bill ;

Which motion did not prevail.

SENATE BILLS ON SECOND READING.

No. 8. A bill to amend the charter of the Madison and Napoleon turnpike company ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the House thereof.

No. 27. A bill for the benefit of the New Albany and Salem railroad company ;

Was read a second time ; when

Mr. Dunham moved to amend said bill as follows :

Provided, That the town of Salem shall be made a point in said road, and that said work or road shall not be extended to any point north of the line of latitude passing through said town of Salem unless it be extended from said town ;

Which was not adopted.

Mr. Dunham moved to amend said bill as follows :

So amend as to strike out that part of the bill as gives the unlimited power of extension ;

Which was adopted.

Said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 28. A bill to amend an act to authorize the people of the several townships of the several counties, to prohibit the retail of spirituous liquors ;

Was read a second time, when,

Mr. Jones of Switzerland moved to strike out Switzerland county from the provisions of the bill ;

Which motion prevailed.

Mr. Neal moved to strike out the county of Boone from the provisions of the bill ;

Which motion prevailed.

Mr. Chambers moved to strike out the county of Jefferson from the provisions of the bill ;

Which motion prevailed.

Mr. Trimble moved to strike out the county of Union from the provisions of the bill ;

Which motion prevailed.

Mr. Harvey moved to strike out Hendricks county from the provisions of the bill ;

Which motion prevailed.

Mr. Dole moved to strike out the county of Vermillion from the provisions of the bill ;

Which motion prevailed.

Mr. Covington moved to strike out the county of Ohio from the provisions of the bill ;

Which motion prevailed.

Mr. Slater moved to strike out the county of Dearborn from the provisions of the bill ;

Which motion prevailed.

Mr. Schryock moved to insert the counties of Fulton and Marshall at the proper place, in the provisions of the bill ;

Which motion prevailed.

Mr. Hamilton moved to amend by inserting after the word "writing," in the eleventh line, in the first section the words "or have printed ;"

Which motion prevailed.

Mr. Harlan moved to amend the 4th section, by striking out of the 5th line, the words "the voters of" and insert the words "all those who shall vote at such election in ;"

Which motion prevailed.

Mr. Cookerly moved to amend as follows :

"Strike out all that requires said bill to be published in the newspapers here, and insert a clause making it the duty of the Secretary of State to forward a certified copy of the same to the clerk of each county ;"

Which motion did not prevail.

Mr. Harlan moved to strike out of the 5th line of the first section, Grant county ;

Which motion prevailed.

Mr. Meredith moved to strike out the county of Wayne in the 7th line of the 1st section, and the county of Henry in the 5th line of the 1st section ;

Which motion prevailed.

Mr. Meredith moved to amend by adding the following sections after the second section of the bill ;

SEC. 3. That the qualified voters of the several townships of the counties of Wayne, Henry, Montgomery, Franklin, Hamilton, Perry, Fountain, Warren, Johnson, Jennings, St. Joseph, Sullivan, Adams, Wells, Clark, Martin, Grant, and Cass, who are in favor of license, shall at the April or spring township elections endorse in writing or have printed upon their tickets, the word "license" and those who are opposed to the granting of license shall endorse upon their tickets in like manner the words "no license," and any ticket not so endorsed shall not be counted for or against license.

SEC. 4. That it shall be the duty of the inspectors and judges of elections, in said last mentioned counties, to make out a certificate in writing stating the number of votes cast at such elections for license, and also the number of votes cast against license, and return the same to the clerk of the circuit court in like manner as is provided in the second section of this bill.

Also, to change the other sections of the bill so as to correspond with the above amendments.

Which motion prevailed.

On motion by Mr. Meredith,

The rules were suspended, and the bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

On leave granted,

Mr. Cookerly offered the following resolution :

Resolved, That the Secretary of State be authorized to employ two additional clerks until the session of the Legislature terminates ;

Which was adopted.

No. 50. A bill in relation to the County Seminary Fund of Tippecanoe county ;

No. 51. A bill to incorporate the Madison Female College ;

No. 54. A bill to repeal the second section of an act to vacate certain alleys in the town of Bloomington ;

Were each read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

No. 59. A bill to protect the trust funds of the State ;

Was read a second time and laid on the table.

No. 69. A bill to repeal an act, entitled " An act for the relief of the Miami Indians," approved February, 3, 1841 ;

Was read a second time, and,

On motion by Mr. Harlan,

Was referred to the judiciary committee.

No. 73. A bill for the relief Davis Porter ;

Was read a second time and laid on the table.

No. 100. A bill to amend the record of the town of Huntington ;

No. 105. A bill to authorize the commissioners of the county of Cass to employ a physician for the paupers of said county ;

No. 106. A bill to change the name of the county seat of Martin county ;

No. 107. A bill to authorize the sale of school section, No. 16, in township, No. 25 north, of range 2 west.

No. 108. A bill in relation to the town of Carrollton, in Carroll county ;

No. 110. A bill to incorporate the Junction Railroad Company ;
 Were each severally read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

No. 111. A bill to compel the trustees of the Wabash and Erie Canal to allow interest on Canal land scrip ;

Mr. Cole moved to amend said bill by adding the following section :

Sec. —. In each and every case, when any person may have paid into the said land office any canal land scrip, upon which the whole or any portion of the interest due upon the same, up to the time the same was paid in, was disallowed or refused to be paid, whether said payments may have been made on account of principal of purchase money due upon lands or interest due, or in arrears, or penalty upon the same, or upon any account whatever, the said trustees, or their clerk of the proper land office shall, upon demand, refund to such person the interest so disallowed or refused to be paid : *Provided*, That the said trustees or their said clerk may require the person making such demand to file his affidavit, stating therein, according to the best of his recollection and belief, the amount of the interest so disallowed or refused to be paid ;

Which was adopted.

Mr. Terry moved to refer the bill to the committee on canals and internal improvements ;

Which did not prevail.

The rules were then suspended, and the bill was read a third time and passed.

Ordered, That the Senate be informed thereof.

No. 115. A joint resolution on the subject of land warrants ;

No. 116. A bill to locate a State road in Posey and Vanderburg counties ;

No. 119. A bill to improve the Huntington and Goshen State road ;

No. 126. A bill to vacate a road in Laporte county, and for the relief of O. P. Ludlow ;

No. 127. A bill to amend an act, entitled "An act to reduce the tolls on the New Albany and Vincennes road, and for other purposes ;"

No. 128. A bill to correct a misprint in a certain act therein named ;

No. 129. A bill to authorize Isaac Hifner and others to build a mill dam across the Salamonina river ;

No. 133. A bill to authorize the county of Laporte to borrow money and levy an additional tax ;

No. 134. A bill for the benefit of the Recorder of Monroe county ;

No. 138. A bill levying a road tax in the township of Union, in St. Joseph county ;

Were severally read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

No. 132. A bill for the benefit of Lawrenceburgh township in Dearborn county ;

Was read a second time, when,

Mr. Lane moved to amend as follows :

"Strike out section 5 and insert—

"And it is further enacted that the provisions of the 1st, 2d, and 3d sections of this act be extended to "an act to improve the roads in Centre township, in the county of Dearborn," approved January 18, 1847, and the same is hereby amended accordingly ;"

Which was adopted.

On motion,

The rules were suspended therefor, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 124. A bill relative to the time of making reports to the Legislature ;

Was read a second time, and,

On motion by Mr. Kinney,

Was amended by striking out the word "persons," in the third line of the first section, and inserting the word "officers" in lieu thereof.

The rules were then suspended and the bill read a third time and passed.

Ordered, That the Senate be informed thereof.

No. 125. A bill for the relief of Ann Henderson ;

Was read a second time, and,

On motion by Mr. Kinney,

Laid on the table.

On motion by Mr. Williams, of Madison,

The House took from the table bill of the Senate,

No. 39. A bill to incorporate the Indianapolis and Bellefontaine Railroad Company.

Mr. Brown offered the following amendment :

"Add to the 16th section the following :

"*Provided*, That nothing in this act, or any other act of the General Assembly of this State, shall authorize the said Madison and Indianapolis Railroad Company to change the present termination of her road at Indianapolis, or in any manner authorize said company, or the company authorized by this act, or any other persons or company, to interfere with or change the rights of any person or persons arising from contracts made relative to the location of the

depot of the Madison and Indianapolis Railroad at Indianapolis ;”

Which was adopted.

Mr. Williams, of Madison moved to amend by adding to section 16—

“The construction of said road shall commence at Indianapolis, and shall be completed in continuous sections from the point of commencement ;”

Which was adopted.

Mr. Harlan moved to amend as follows :

“Amend 16 section by striking all out after the first proposition “to,” in 14th line, and insert the following :

“Marion, in Grant county, thence to Huntington county, and thence to Fort Wayne, in Allen county ;”

Which motion did not prevail.

Mr. Colip moved to amend the bill by striking out Pendleton as a point in said road ;

Which did not prevail.

Said bill was then read a third time and passed.

Ordered, That the Senate be informed thereof.

HOUSE BILLS ON THIRD READING.

No. 18. A bill to amend the 137th section of article 3, chapter 45. of the Revised Statutes of 1843 ;

No. 34. A bill to change the mode of electing county commissioners in the county of Pike ;

No. 218. A bill to amend an act entitled “An act to incorporate the Lawrenceburgh and Rushville Turnpike Company,” approved January 19, 1846 ;

No. 89. A bill to incorporate the Kosciusko, Elkhart and Miami Railroad Company ;

No. 114. A bill to authorize the inspection of hay in the several counties of this State ;

Were severally read a third time and passed.

Ordered, That the Senate be informed thereof.

On motion by Mr. Cookerly,

The vote on the passage of House bill No. 114 was reconsidered.

On motion,

The bill was amended by inserting in the 11th line, 1st page, the words, “if they deem it necessary.”

The bill then passed.

On motion by Mr. Ford,

The House adjourned until to-morrow morning, 9 o'clock.

FRIDAY MORNING, FEBRUARY 4, 1848.

The House met.

On motion by Mr. Little,

The reading of the journal was dispensed with.

Mr. Little moved to reconsider the vote on the passage of bill No. 339. A bill to repeal the 4th section of the 47th chapter of Revised Statutes, so far as relates to Elkhart county;

Which motion prevailed.

Mr. Cookerly moved to reconsider the vote on the engrossment of said bill;

Which motion prevailed.

Mr. Parker moved to strike out Allen county from the provisions of the bill.

Which motion prevailed.

Said bill was then engrossed as amended and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions of the House without amendment, to-wit :

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals ;

No. 4. An act to amend an act entitled " An act to establish a State road on a portion of the dividing line of the counties of DeKalb and Steuben, approved January 2, 1847 ;

No. 5. An act to change time of holding the probate courts in Clark county ;

No. 6. An act authorizing the sale of certain school lands in Franklin county ;

No. 8. An act to provide for assessing and collecting a road tax on lands and town lots in Madison county ;

No. 11. An act providing for the sale of certain school lands in the county of Dearborn, belonging to town 9, range 3 west, in Franklin county ;

No. 12. An act to enable the supervisors of Scott county to make their returns to the board doing county business, on the first Monday in March annually ;

No. 13. An act to extend the time for the final payment for certain school lands in Miami county, and for other other purposes ;

No. 22. An act for the relief of the surplus revenue fund belonging Decatur county ;

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers ;

No. 33. An act to amend an act entitled " An act to incorporate the College Corner and Liberty Turnpike Company ;"

No. 42. An act to provide for the selecting of petit jurors, in the county of Warren ;

No. 45. An act to extend the jurisdiction of justices of the peace, in the counties of Lake and Porter ;

No. 46. An act to fix the term of holding the probate courts, in the county of Putnam ;

No. 52. An act for the selecting of jurors in the county of Delaware ;

No. 59. An act to authorize the trustees of school districts No. 1, town 37 north, range 5 east, in Elkhart county, to raise an additional tax ;

No. 61. An act authorizing the trustees of school district No. 5, in township 37 north, of range 3 east, in St. Joseph county, to levy a tax to finish a schoolhouse in said district :

No. 62. An act to incorporate the Botanic Medical Society of Decatur county ;

No. 64. An act to incorporate the Laporte Female Seminary ;

No. 68. An act leaving it discretionary with the board of commissioners of Delaware county, what compensation they shall allow supervisors for making their returns ;

No. 71. An act to amend the 22d section of an act of the Revised Statutes entitled " An act for the relief of the poor ;"

No. 75. An act relating to road tax in Posey county ;

No. 83. An act for the relief of James Hardin of Warrick county ;

ORDERS OF THE DAY.

No. 126. A bill for the relief of Simon and John Bottorf.

No. 153. A bill to authorize William Hornor to convey certain real estate ;

No. 173. A bill to repeal an act vacating part of the town of Milford in Kosciusko county ;

No. 174. A bill to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes ;

No. 154. A bill to relocate part of the State road from Harrison to Indianapolis ;

No. 155. A bill vacating a certain State road therein named ;

No. 156. A bill to repeal an act providing for the election of supervisors of highways in the counties of Dearborn, Jefferson, and Spencer, approved December 26, 1844 ;

No. 157. A bill to locate a State road in the county of Posey ;

No. 158. A bill to relocate a State road in the counties of White and Carroll ;

No. 159. A bill to incorporate the Madison and Cross Plains Turnpike Company ;

No. 160. A bill to incorporate the German Evangelical Lutheran St. John's church in Dearborn county ;

No. 161. A bill to revise the road laws in the counties of Lake, and Porter ;

No. 162. A bill to locate a State road in Madison and Hamilton counties ;

No. 164. A bill to repeal an act therein named ;

No. 165. A bill to vacate a part of the town of Hagerstown in Wayne county ;

No. 166. A bill declaring a misprint in the 1st section of an act of the local laws of 1848, in relation to the surplus revenue agent of Perry county ;

No. 167. A bill to change the name of Melissa Davis to Melissa Emeline Miller ;

No. 168. A bill to authorize Nottingham Mersey to build a mill dam across the Wabash river in Adams county ;

No. 169. A bill to incorporate the Jasper County Iroquis Navigation and Manufacturing Company ;

No. 170. A bill to locate a State road in the counties of LaPorte and St. Joseph ;

Were severally read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 171. A bill to require the treasurer of Kosciusco county to refund certain taxes, and for other purposes ;

Was read a third time, and,

The question being "shall the bill pass?"

The ayes and noes being demanded by Messrs. Frazer and Parker.

Those who voted in the affirmative are,

Messrs. Campbell, Covington, Dobson, Dunham, Fuller, Harlan, Holden, Jones of B., Jones of S., Kennard, Lane, Lichteberger, Major, McConnell, McDonald of A., Mills, Neal, Roache, Shryock, Slater, Tinbrook, Williams, of K., and Wolfe—23.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Bowling, Brown, Bryant, Carr, Cambers, Coble, Coffin, Cole, Colip, Commons, Criswell, Danner, Davis, Dimmett, Dole, Dougherty, Doyle, Frazer, Gooding, Goodman, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Little, Lockwood, May, McCormick, McKinzie, Meredith, Miller, Morrison, Nimmons, Norris, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Smiley, Swihart, Thompson of C., Thompson of G., Trimble, Widney, Williams of M., and Mr. Speaker—60.

So said bill did not pass.

Mr. Cookerly moved to reconsider the vote on the passage of bill No. 339. A bill to repeal the 4th section of the 47th chapter of the Revised Statutes so far as relates to Elkhart county ;

Which motion prevailed.

Mr. Cookerly moved to reconsider the vote on the engrossment of said bill ;

Which motion prevailed.

Mr. Cookerly moved to amend said bill by inserting after the word "peace," in the 4th line of the 1st section, the words "in Elkhart county ;"

Which was adopted.

The bill was then engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 172. A bill to authorize John Webster to build a mill dam across the Little St. Joseph river, in De Kalb county ;

No. 175. A bill to authorize a certain change in the Strawtown and Peru State road, in Hamilton county ;

No. 176. A bill in relation to roads in De Kalb county ;

No. 177. A bill to legalize the assessment of a certificate for certain school land therein named ;

No. 178. A bill to authorize the sale of a certain town lot therein named ;

Which were each severally read three times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 179. A bill to authorizing Peter Wise and others, to build a mill across White river, in Hamilton county ;

Was read a third time, when,

Mr. Colip asked and obtained leave to make the following report from a select committee :

MR. SPEAKER :

The select committee to whom was referred the remonstrance of Michael Wise and three others against the erection of a mill dam across White river, in Hamilton county, have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be laid on the table and recommend the passage of the bill.

Which was concurred in.

The question then being "shall the bill pass?"

It was decided in the affirmative.

So said bill passed.

Ordered, That the Clerk inform the Senate thereof.

No. 180. A bill to repeal part of an act authorizing the State bank of Indiana to lay off, plat, and record in out-lots, certain lands adjoining and lying near to the town of South Bend, St. Joseph county;

No. 182. A bill to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes;

No. 184. A bill to vacate certain enlargements of the city of Evansville;

No. 185. A bill to form a new school district from school districts No. 1 and No. 4, in congressional township No. 2, north of range 2 east;

No. 186. A bill to legalize the proceedings of the board of commissioners of Boone county in reference to the survey of a certain State road in said county;

No. 187. A bill to authorize the location and establishment of a State road from Bedford, in Lawrence county, by Clear Spring, in Jackson county, to Columbus in Bartholomew county;

No. 188. A bill to authorize the auditor and school commissioner of Morgan county to make a deed to William Berry for certain school land in said county;

Which were each read three several times and passed;

Ordered, That the Clerk inform the Senate thereof.

No. 189. A joint resolution inviting General Zachary Taylor to visit Indiana;

Was read a third time, and,

The question being "shall the joint resolution pass?"

And the ayes and noes being demanded by Messrs. McDonald of L. and Covington,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Colip, Commons, Cookerly, Criswell, Dimmett, Dole, Dougherty, Doyle, Frazer, Fuller, Gooding, Gordon, Graham, Hankins, Harding, Harvey, Hetfield, Huddleson, Hull, Hunt, Kinney, Lichteberger, Little, Lockwood, McConnell, McCormick, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Knox, Williams of Madison, and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. Campbell, Carr, Covington, Davis, Dobson, Dunham, Ford, Goodman, Hall, Harlan, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Major, May, McDonald of Adams, McDonald of Lake, Neal, Norris, Rulon, Short, Slater, Smiley, Sullivan, Tinbrook, Trimble, Winetandy, and Wolfe—20

So said joint resolution did pass.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment, to-wit :

No. 36. An act to authorize the board doing county business in Orange county to dispense with a road tax.

No. 190. A joint resolution to consolidate the Winnemac, Fort Wayne and Indianapolis Land Offices and to locate the same at Peru ;

No. 191. A bill for the purposes therein mentioned ;

No. 192. A bill in relation to the pay of grand and petit jurors in certain counties therein named ;

No. 193. A bill to authorize the auditor of Hendricks county to sell certain lands ;

No. 295. A bill to provide for the construction of a railroad from Martinsville, in Morgan county, to Point Commerce in Green county ;

No. 196. A bill to authorize a company to construct the Aurora and Laughery Turnpike ;

No. 197. A bill authorizing a company to construct a turnpike road from Moreshill to Aurora, in Dearborn county ;

No. 198. A bill in relation to school funds in the county of Davis ;

No. 200. A bill repealing a certain act therein named ;

No. 202. A bill to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county, Indiana ;

No. 206. A bill to authorize the sale of lots in the town of Brownstown for delinquent taxes ;

No. 208. A bill to extend the time of holding the commissioners court of Boone county ;

No. 210. A bill to change the name of Bazaleel Thomas to that of Bazil Thomas ;

No. 214. A bill to provide for the improvement of the town of Williamsport ;

No. 216. A bill to authorize the clerk of Sullivan county to offer and sell certain lots and lands therein named, at the court-house door in Sullivan county ;

No. 220. A bill to amend an act entitled " An act appointing commissioners to make partition of the real estate of Stephen S. Collett, late of Vermillion county, deceased," approved January 19, 1846 ;

No. 221. A bill relative to the probate court of Monroe county ;

No. 224. A bill authorizing the boards doing county business to continue in session ten days at their March and June sessions ;

No. 225. A bill authorizing county auditors to take acknowledgments of deeds in certain cases ;

No. 231. A bill to enable the auditor of St. Joseph county to make a deed in a certain case ;

No. 232. A bill declaring the meaning of an act to amend an act amendatory to an act incorporating Michigan City, approved February 15, 1841 ;

No. 235. A bill to authorize Sarah Shannon to convey certain real estate ;

Were each severally read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

No. 236. A bill amendatory of the laws now in force in relation to decedents' estates ;

Was read a third time, and was,

On motion by Mr. Terry,

Referred to the judiciary committee, with instructions "to make the law general."

No. 237. A bill to legalize the vacation of certain lots, streets, and alleys in Sooth Bend ;

No. 238. A bill to legalize the acts of Michael Sheel, a justice of the peace of Hamilton county ;

No. 240. A bill in relation to road tax in the county of Howard ;

No. 243. A bill authorizing the sheriff of Dearborn county to use the jail at Wilmington, for a certain period of time therein named ;

No. 246. A bill reducing the fee for recording deeds in Delaware county ;

No. 247. An act to revive an act entitled "An act to incorporate the town of Muncie, in Delaware county ;"

No. 248. A bill authorizing county auditors to make deeds in certain cases :

No. 252. A bill to amend an act entitled "An act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, and to provide for the election of a commissioner to restore said records," approved January 13, 1845 ;

No. 253. A bill to amend section 4, article 1, chapter 7, of the Revised Statutes of 1843 ;

No. 254. A bill authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county, Indiana ;

No. 255. A bill to vacate part of the Indianapolis and Centreville State road ;

No. 256. A bill for the relief of Robert Brown and others ;

No. 257. A bill incorporating the Celebration Spring Steam Mill Company, in Franklin county ;

No. 259. A bill to locate a State road in the counties of Franklin and Riplev ;

No. 260. A bill authorizing the auditor of Franklin county to sell certain school lands therein named ;

No. 262. A bill to vacate a certain street in the village of Byron, in Laporte county ;

No. 263. A bill to amend the charter of the Indiana Medical College ;

No. 267. A bill to change the name of Charlotte Leggett Fox Dubois to Charlotte Fox Dubois Ladd ;

No. 269. A bill to vacate the streets, alleys, and town lots of Georgetown, in the county of Adams ;

No. 270. A joint resolution on the subject of mileage ;

No. 275. A bill to repeal an act therein named ;

No. 289. A bill to regulate the sale of spirituous liquors in the county of Floyd ;

Were each severally read three times and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 30. A bill (Senate) relative to the execution of decrees in chancery ;

Was read a third time, and,

On motion by Mr. Kinney,

Was laid on the table.

Mr. Lane asked and obtained leave to withdraw a substitute he had proposed to joint resolution No. 189.

On leave granted,

Mr. Lane introduced

No. 362. A joint resolution demanding justice to our brave volunteers ;

Which was read a first and second times, the rules being suspended therefor, when,

Mr. Blythe moved to amend by striking out from the resolving clause, and inserting the following :

“ That Major General Taylor be, and he is hereby respectfully requested, to embrace an early opportunity to make such declaration relative to the conduct of the Indiana troops at the battle of Buena Vista as may in his judgment, after reviewing his former report of that engagement, and all the facts connected therewith, as developed in the proceedings in the several courts of inquiry, appear necessary to render justice to the character of the volunteers and the people of this State : *Provided*, the same can be done consistent with his military duties.

Be it further resolved, That the Governor be requested to forward to General Taylor a copy of the foregoing joint resolution.”

Pending which,

The joint resolution was referred to a select committee consisting of Messrs. Kinney, McDonald of L., Blythe, Dunham, and Harvey.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

By Mr. Bowling,
Petition of Daniel Wools and others, for change in a State road
in Clay county ;

Was referred to a select committee of Messrs. Bowling, Lock-
wood, and Dobson.

By Mr. Thompson of Gibson,
Petition of sundry citizens of Illinois ;

Was referred to the committee on corporations.

By Mr. Lane,
Petition of Charles Jolly and others, on the subject of the license
law ;

Also, petition of Thomas Hargate and others, on the same sub-
ject ;

Were referred to the same committee heretofore appointed on
that subject.

By Mr. Nimmons,
Petition for divorce ;

Was referred to a select committee of Messrs. Nimmons, Thomp-
son of Carroll, and Jones of Switzerland.

By Mr. McConnell,
Petition in relation to improving the Iroquois river ;

Was referred to a select committee of Messrs. McConnell, Frazer,
and Swihart ;

By Mr. Coble,
Petition in relation to the election of representatives to the Gen-
eral Assembly, from Crawford county ;

Was referred to a select committee of Messrs. Coble, Danner, and
De Bruler.

By Mr. Coble,
Petition in relation to the circuit court of Crawford county ;

Was referred to the judiciary committee.

By Mr. Lichteberger,
Petition of sundry citizens of Posey county, for a law to prevent
traffic in public lands.

Which was referred to the judiciary committee.

By Mr. Hamilton,
Petition of 133 citizens of Landerick township, Decatur county,
for a modification of the township voting law in said county ;

Which was referred to a select committee of Messrs. Hamilton,
Tribly, and Little.

By Mr. Roache,
Petition from citizens of Parke county, praying that Scott Noel
may be declared the successors in office, as justise of the peace, of
Robert M. Gilkeson ;

Which was laid on the table.

By Mr. Orton,

Petition of sundry citizens of Marion county for a repeal of the license law of last session ;

Which was laid on the table.

By Mr. Slater,

Petition of the citizens of Lawrenceburgh for a repeal of the license law, as to said town and township ;

Also, a remonstrance of sundry citizens of Dearborn county on the same subject ;

Which were referred to the same committee heretofore appointed on that subject.

By Mr. McDonnald of Adams,

Petition to repeal a road law therein named, signed by Jonathan Gaston and 75 others ;

Which was referred to a select committee of Messrs. McDonald of Adams, Harlan, and Swihart.

By Mr. Dunham,

Petition of sundry persons to amend an act therein named ;

Which was referred to the judiciary committee.

By Mr. Dougherty,

Petition of John Elder, Lucien Barbour, and Edwin J. Peck, commissioners appointed by the General Assembly, for a certain purpose for relief ;

Which was referred to the committee on claims.

By Mr. Cole,

Petition to remove the canal land office east of Tippecane to Peru ;

Which was referred to a select committee of Messrs. Cole, Dole, and Parker.

By Mr. Cole,

Petition of the citizens of Miami county, to repeal a local law in said county relative to county taxes ;

Also, petition from the same on the same subject ;

Which was laid on the table.

By Mr. Kennard,

Petitions of sundry citizens of Clinton county for the location of a State road ;

Which was referred to the committee on roads.

By Mr. McDonald of Adams,

Petition of J. D. Nuttman and others to locate a certain street in Decatur, Adams county ;

Which was referred to a select committee of Messrs. McDonald of Adams, Harlan, and Shryock.

By Mr. Widney,

Petition of citizens of Steuben county, for an amendment of the act incorporating the Buffalo and Mississippi railroad company ;

Which was laid on the table.

By Mr. Orr,

Petition for a State road, therein named.

Which was referred to a select committee of Messrs. Orr, Harlan, and Williams of Madison.

Also, petition of citizens of Delaware county to change the Hagerstown and Muncie State road ;

Which was referred to the committee on roads.

By Mr. Cole,

Petition of citizens of Peru to vacate a portion of a certain street ;

Which was referred to a select committee of Messrs. Cole, Hamilton and Criswell.

Also, petition of citizens of Miami county to repeal the law fixing the salary of the auditor of Miami county ;

Also, petition from the same for the same.

Which were referred to a select committee of Messrs. Cole, Hamilton and Criswell.

By Mr. Brown,

Petition from the citizens of Allisonville and others, for a law for the prevention of the retailing of liquors in said town of Allisonville, Marion county ;

Which was referred to a select committee of Messrs. Brown, Hunt, and Baldwin.

By Mr. Hamilton,

Petition of Elizabeth Wright for redress of grievances ;

Which was laid upon the table.

Mr. Dimmett moved to suspend the rules, take from the table a petition for a divorce heretofore presented by himself ;

Whereupon Messrs. Harvey and Neal demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Armstrong, Campbell, Chambers, Cookerly, Davis, Dimmett, Dobson, Ford, Gooding, Hamilton, Harlan, Jones of Switzerland, Keiser, Lane, Line, Lowe, Major, McDonald of Adams, McDonald of Lake, Nimmons, Norris, Orton, Rulon, Short, Shryock,
—25.

Those who voted in the negative are,

Messrs. Albin, Blythe, Brown, Bryant, Carr, Coble, Coffin, Cole, Commons, Covington, Criswell, Dougherty, Doyle, Dunham, Frazer, Goodman, Gordon, Graham, Hall, Harding, Harvey, Hetfield, Holden, Huddleston, Hunt, Jones of Bartholomew, Kennard, Kinney, Lichteberger, Little, Lockwood, McConnell, McCormick, McKinzie, Miller, Mills, Morrison, Neal, Parker, Prather, Robinson, Sackett, Smiley, Stanton, Sullivan, Swihart Tinbrook, Trimble, Williams of Madison, and Mr. Speaker—50.

So said petition was not taken from the table.

By Mr. Criswell,

Petition of German citizens to grant a portion of school fund to establish German schools ;

Which was laid on the table.

By Mr. Harlan,

Petition of Samuel Judson and 75 others of the county of Elkhart on the subject of "land limitations;"

Which was referred to the same committee heretofore appointed on that subject.

By Mr. Kennard,

Petition of sundry persons for the enlargement of the jurisdiction of justices of the peace in certain cases ;

Which was referred to the same committee heretofore appointed on the Governor's message on that subject.

By Mr. Thompson, of Carroll,

Petition for a change in filing declarations and pleas in courts of justices ;

Which was referred to the judiciary committee.

By Mr. Smiley,

Remonstrance of Sundry citizens of Lafayette and vicinity, against a charter for another bridge across the Wabash river at Lafayette :

Also, remonstrance from the same against the same ;

Also, remonstrance of sundry citizens of the town of Lafayette against extending the corporate limits of said town ;

Which were laid on the table.

By Mr. Commons,

Petition to extend the jurisdiction of justices of the peace ;

Which was referred to the judiciary committee.

By Mr. Lowe,

Petition of R. M. Farmer for compensation for supplying volunteers of D. Sanderman's company ;

Which was referred to the committee on claims.

By Mr. Doyle,

Remonstrance of certain citizens of Tippecanoe and White counties against vacating a part of a certain State road ;

Which was laid on the table.

The following message was received from the Senate by Mr. Davis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to Senate bill No. 27, entitled "An act for the benefit of the New Albany and Salem Railroad Company," with an amendment in which the concurrence of the House is respectfully requested ;

Which was concurred in.

On motion by Mr. Ford,

The House adjourned untill 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

Bills were introduced on leave,

By Mr. Holden,

No. 363. A bill authorizing the auditor of Vigo county to sell certain tracts of land therein named;

By Mr. McCormick,

No. 366. A bill to vacate the town of Florentine, in Tippecanoe county, Indiana;

By Mr. Harvey,

No. 364. A bill to authorize John S. Woodard to convey certain real estate;

Which were severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Nimmons, on leave, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill of the House No. 358, to "provide for the payment of certain moneys to Justice C. Alvord and Homer King, and for other purposes," have had the same under consideration, made one amendment thereto, which they report back to the House, and with the adoption of said amendment recommend its passage.

The following is the amendment proposed by the committee to said bill, which was adopted :

"Amend the 2d section by adding the following :

"But before he enters upon the discharge of his duties, he shall be required to give bond to the State of Indiana, with good freehold security, in the penalty of two thousand dollars, which bond shall be approved by the treasurer of State and filed in his office."

Said bill No. 358 was then read a third time and passed :

Ordered, That the Senate be informed thereof.

A message from the Governor by Mr. Sleeth, his Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did, on this day, approve and sign bill No. 39, entitled "An act to amend an act, entitled 'an act granting to the citizens of the town of Evansville a city charter,' " approved January 27th, 1847, which originated in the House of Representatives.

February 4, 1848.

REPORTS FROM STANDING COMMITTEES.

Mr. Robinson made the following report :

MR. SPEAKER :

The committee on elections to whom was referred House bill No. 338, in relation to the provisions of said bill, have had the same under consideration, and directed me to report the same back to the House, and recommend its passage ;

Said bill was then read a second and third times—the rules being suspended therefor—and passed.

Ordered, That the Senate be informed thereof.

Also, the following report :

MR. SPEAKER :

The committee on elections to whom was referred Senate bill No. 97, in relation to the election of President and Vice President of the United States, have had that subject under consideration, and directed me to report to same back to the House without amendment, and recommend its passage.

Said bill was, thereupon, read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Bryant made the following report :

MR. SPEAKER :

The committee of ways and means to whom was referred the resolution of the House instructing the said committee to inquire into the expediency of providing, by law, for refunding to the purchasers of tax sales, the amount of taxes which may have been paid by them in case of invalid sales, have had the same under

consideration, and have instructed me to report the accompanying bill and recommend its passage :

No. 366. A bill to provide for the refunding of payments to purchasers at tax sales, where the sales are invalid ;

Was read a first time and ordered to a second reading.

Mr. Dunham made the following report :

MR. SPEAKER :

The committee on ways and means to which was referred bill of the House:

No. 344. A bill for the more speedy completion of the Indiana Hospital for the Insane,

Have had the subject under consideration, and have directed me to report the same back to the House, with the following amendment, in which they respectfully ask the concurrence of the House :

"Strike out the original bill from the enacting clause and insert the following :

Which was concurred in.

The substitute proposed by the committee was adopted.

On motion by Mr. Dunham,

The rules were suspended, and the bill considered as engrossed, read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Dunham also made the following report :

MR. SPEAKER :

The committee on ways and means have had under consideration the subject of raising a revenue for State purposes for the year 1848, and have instructed me to report the following bill, and respectfully recommend its passage :

No. 367. A bill to provide for raising a State revenue for the year 1848 ;

Was read a first and second times—the rules being suspended therefor—when,

Mr. Harvey moved that the House resolve itself into committee of the whole House, for the purpose of considering said bill,

Which did not prevail.

On motion by Mr. Wolfe,

The bill was made the special order of the day for Tuesday next.

The following message was received from the Senate by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendment of the House to bill No. 38, entitled "An act for the relief of the securities of John Plasters, formerly School Commissioner of Miami county.

Mr. Orton, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred the memorial of William H. Fatham, preferring charges against Erwin W. Madison, a justice of the peace, of Decatur county, with a view to impeachment, have had the same under consideration, and have instructed me to report that the facts presented in the said memorial are not sufficient in law to sustain an impeachment against said justice of the peace ; and they pray to be further discharged from the consideration of this subject;

Which was concurred in by the House.

Mr. Orton, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred a bill regulating injunctions and the practice in chancery, have had the same under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage :

No. 194. A bill in relation to injunctions and chancery practice ;

The question being,

"Shall the bill be engrossed for a third reading?"

It was decided in the negative.

Mr. Orton, from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred a resolution of the House with instructions to inquire into the expediency of providing by law that it shall be the duty of executors and administrators, in case the heirs at law or devisees of their decedents shall be within age and have no guardian, to take in charge all the real estate and lands of such decedents, and receive the rents and issues thereof, and exercise all the rights of guardian in relation

thereto, &c., have had the same under consideration and have directed me to report the accompanying bill, and recommend its passage, and ask to be discharged from any further consideration of the matter :

No. 368. A bill for the relief of infant heirs and devisees ;

Was read a first time and ordered to a second reading.

Mr. Blythe, from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was recommitted bill, No. 7, of the House, with a resolution instructing said committee to amend said bill by striking out the amendments exempting the counties of Jackson, Wayne, Sullivan, and Warrick from the operation of said bill, have had the same under consideration, and directed me to report the same back with the proposed amendment, and recommend its passage :

No. 7. A bill to impose additional duties on the prosecuting attorneys in the several counties in this State, and for other purposes ;

Mr. Meredith moved that said bill be indefinitely postponed.

Mr. Neal moved the previous question,

Which was seconded by the House.

The question then being,

"Shall the main question be now put?"

It was decided in the affirmative.

The question then being,

"Shall the bill be engrossed?"

And the ayes and noes being demanded by Messrs. Meredith and Harvey,

Those who voted in the affirmative are,

Messrs. Albin, Blythe, Brown, Bryant, Coffin, Cole, Criswell, Dimmett, Dougherty, Frazer, Gooding, Hamilton, Harlan, Harvey, Hunt, Keiser, Lane, Line, Little, McDonald of Adams, McKinzie, Neal, Orton, Parker, Rulon, Shryock, Terry, and Williams of Madison
—28.

Those who voted in the negative are,

Messrs. Armstrong, Bowling, Campbell, Carr, Chambers, Colip, Commons, Cookerly, Covington, Danner, Davis, Dobson, Dole, Doyle, Dunham, Ford, Fuller, Goodman, Gordon, Graham, Hall, Hankins, Harding, Hetfield, Holden, Huddleston, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lichteberger, Lowe, Major, May, McConnell, McCormick, McDonald of Lake, Meredith, Mil-

ler, Mills, Morrison, Nimmons, Norris, Orr, Prather, Roache, Robinson, Sackett, Short, Slater, Smiley, Stanton, Swihart, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimby, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—60.

So said bill was lost on its engrossment.

Mr. Terry, from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred House bill, No. 99, have had the same under consideration, and have instructed me to report the same back to the House without amendment, and to recommend its passage :

No. 99. A bill in regard to bonds of county officers ;

Which was ordered to be engrossed.

Mr. Dunham moved to suspend the rules and take from the table,

No. 344. A bill for the more speedy completion of a portion of the Indiana Hospital for the Insane ;

Which motion prevailed.

Mr. Dunham offered the following amendment :

" Amend in the first section, in the 7th line, by striking out ' delinquency,' and insert ' delinquencies.' "

Add to the second section :

" *Provided*, That said treasurer shall be of opinion that of eight thousand dollars said sum, or such part thereof as said commissioners may wish to draw, remains in said treasury unappropriated for other purposes."

Which was adopted by unanimous consent,

And said bill then passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Terry, from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred House bill, No. 348, have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage :

No. 348. A bill to impose additional duties on the prosecuting attorneys of the twelfth judicial circuit, and for other purposes ;

Said bill was considered as engrossed, and the rules being suspended therefor, read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Orton, from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred a resolution of the House instructing said committee to inquire into the expediency of providing by law that whenever it shall be necessary for the payment of debts of any decedent, the rents and profits of the real estate of which the decedent died seized, shall be received by the administrator or executor of such decedent, as other personal property, and applied to the payment of the debts of the estate, have directed me to report that they have had the same under consideration, and are unanimously of opinion that the law proposed is inexpedient, and ask to be discharged, &c.

Which was concurred in.

Mr. Roache, from the judiciary committee, made the following report :

MR. SPEAKER :

The judiciary committee, to which was referred a resolution directing them "to inquire into the expediency of passing a law exempting from execution on contracts hereafter entered into, a certain amount of real estate, including the residence of families of two or more persons—have had the same under consideration, and have directed me to report that it would be inexpedient to legislate on the subject ; and the committee asks to be discharged from further consideration thereof.

Which was concurred in.

Mr. Dougherty, a member of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bills of the House, and find them correctly enrolled, viz :

No. 10. An act to change the time of holding the probate courts in the counties of Daviess ;

No. 60. An act to incorporate the Madison and Brownstown Turnpike Road Company, by way of Kent, in the county of Jefferson, and Wooster, in the county of Scott.

Whereupon, the Speaker signed the same.

Ordered, That the clerk take the same to the Senate for the signature of the President thereof.

Mr. Roache made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred bill No. 203 of the House, entitled "An act to repeal the 1st, 2d, 3d, and 4th sections of the 73d chapter of the Revised Statutes of the year 1838—have had the same under consideration, and have instructed me to report the same back, and recommend that it be indefinitely postponed ; and said committee ask to be discharged from further consideration thereof.

Said report was concurred in, and said bill was indefinitely postponed.

Mr. McKinzie made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 213, entitled "A bill to amend the 23th chapter of the Revised Code of 1843, relative to the acknowledgment of deeds and other instruments in writing, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Said bill was engrossed and ordered to a third reading.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the petition of Hugh Stewart, President of the Wabash and Erie Canal Company, have had the same under consideration, and have instructed me to report :

That, by the act entitled "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846, it is provided (in the eighth section) that the conveyance of the said canal lands, &c., to "the Board of Trustees of the Wabash and Erie Canal," authorized by said act to be made, should be "subject, nevertheless, to all (then) existing rights and equities against the State on account of the same, or any part thereof, or liabilities of the State growing out or in relation thereto;" and the subject matter of said petition being in reference to work done on the Cross Cut Canal, a portion of the Wabash and Erie Canal, under certain acts of the legislature, authorizing private companies to complete sundry

public works, formerly undertaken by the State, the committee are of the opinion that the said claim of said Wabash and Erie Canal Company was, and is, an existing right and equity against the State on account of said canal, and upon a fair construction of said condition in said grant contained, as well as upon general equitable principles, applicable to, and governing classes of this case, is a lien upon the canal, and that the same is subject thereto.

Wherefore, said committee have instructed me further to report that legislation on said petition is inexpedient, and ask to be discharged from the further consideration thereof;

Which was concurred in.

The following report was made by Mr. McKinzie :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill of the House, No. 204, entitled "An act relative to sureties of justices of the peace," have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage ;

And said bill was engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole made the following report :

The judiciary committee, to whom was referred House bill, No. 336, entitled "A bill to amend chapters 8 and 28 of the Revised Statutes of 1843, defining the duties of county recorders, and for the preservation of the records, and deeds, and mortgages," have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it be indefinitely postponed ;

Which was concurred in, and said bill indefinitely postponed.

Mr. McKinzie made the following report :

MR. SPEAKER :

The committee to whom was referred resolution of the House in relation to making of deeds, &c., by clerks of circuit courts, ex-officio discharging the duties of county auditor, have had that matter under consideration, and have directed me to report the following bill and recommend its passage:

No. 369. A bill in relation to deeds made by clerks of circuit courts, ex-officio discharging the duties of county auditor ;

Was read three several times—the rules being suspended therefor—and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Terry made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill, No. 330, have had the same under consideration, and have instructed me to report the same back, and to recommend its indefinite postponement ;

Which was concurred in, and said bill,

No. 330. A bill to amend the 73d section of chapter 7, Revised Statutes of 1843,

Was indefinitely postponed.

Mr. Cole made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred the petition of Matilda Garriott, praying for a divorce from her husband James W. Carriott, have had the same under consideration and have directed me to report, that they deem it inexpedient to legislate upon the subject matter thereof, and ask to be discharged from the further consideration of the same ;

Which was concurred in.

Mr. Cole made the following report.

MR. SPEAKER :

The committee on the judiciary to whom was referred Senate bill No. 69, in relation to the Miami indians, have had the same under consideration, and have instructed me to report the same back without amendment, and recommend its passage :

No. 69. A bill to repeal an act entitled "An act for the relief of the Miami indians," approved February 3, 1841 ;

Was engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Terry made the following report :

MR. SPEAKER:

The judiciary committee to whom was referred House bill No. 261, entitled "a bill providing for the reappraisement of real estate in certain cases," have directed me to report the same to the House, and recommend that it be indefinitely postponed, as a law embodying the same provisions in substance as those contained in said bill, is contained in the acts of 1845, page 17, and said committee ask to be discharged from the further consideration of the subject;

Which was concurred in, and,
Said bill was indefinitely postponed.
Mr. Terry made the following report:

MR. SPEAKER:

The committee on the judiciary to whom was referred a resolution of the House instructing said committee to inquire into the expediency of providing that in cases where the personal assets of decedents leaving widows should not exceed \$150, that it should not be necessary to grant administration thereof, and that two appraisers should be appointed by the clerks of the several circuit courts, to appraise such personal assets and assign and deliver the same to said widow as her statutory allowance, had the same under consideration, and have directed me to report the accompanying bill and recommend its passage, and the said committee ask to be discharged from further consideration of the matter:

No. 370. A bill for the benefit of widows;

Was read a first and second times, the rules being suspended therefor, when,

Mr. Dougherty moved to amend by inserting the word "dollars" after the word "fifty-four," in second section, 9th line;

Which was adopted.

Mr. Kinney moved to amend by striking out the words "said counties" in the first section 15th line;

Which was adopted.

Mr. Neal moved to refer said bill to a select committee with instructions to strike out the words "one hundred and fifty," wherever they occur and insert the words "two hundred;"

Which was not adopted,

And said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Terry, from the judiciary committee, made the following report:

MR. SPEAKER :

The committee on the judiciary to whom was referred bill No. 241 of the House, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage, and the committee ask to be discharged from and further consideration of the subject :

No. 241. A bill to amend article 5, chapter 45 of the Revised Statutes of 1843 ;

Was engrossed for a third reading.

Mr. Kinney made the following report :

MR. SPEAKER :

The committee on education to which was referred the resolution of this House instructing it to inquire whether any, and if any, what legislative action is necessary in order more effectually to increase the usefulness of the Indiana State University, has had the same under consideration, and has instructed me to report that it has no evidence before it whereby to judge of the usefulness of the Indiana State University, nor has it any evidence to show that any suggestion on that subject is necessary, and ask to be discharged from the further consideration of the resolution;

Which was concurred in.

Mr. Windstandley, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education to whom was referred the petition of Asberry Steel and 213 others of the county of Grant, praying that relief might be granted to Silas Overman, have had that subject under consideration, and directed me to report the following bill, and recommended its passage, viz :

No. 371. A bill for the releif of Silas Overman of Grant county ;

Said bill was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hunt,

The following message from the Senate, by Mr. Test their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives, that the Senate have passed the following engrossed bill thereof, to-wit :

No. 165. An act to amend an act entitled "An act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6, 1845, and the several acts amendatory thereto ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned, was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. McDonald of Lake,

Referred to a select committee of Messrs. McDonald of Lake, Hunt, and Miller.

Mr. Hull asked and obtained leave of absence for Mr. Chambers until Tuesday next.

Mr. Jones, of Switzerland, on leave granted, introduced bill

No. 372. A bill to authorize the construction of lines of Morse's Electro Magnetic Telegraph, in the State of Indiana; and for other purposes ;

Which was read a first and second times, the rules being suspended therefor, and referred to a select committee of Messrs. Jones, of Switzerland, Covington, and Windstandley.

MR. SPEAKER :

The select committee to whom was referred bill 331, have had the same under consideration, and have directed me to report it back with the following amendment :

"Strike out all after the enacting clause and insert the following :

"No. 331. A bill to authorize county surveyors to administer oaths, and for other purposes."

Mr. Lockwood moved to amend the amendment as follows :

"Strike out the 2d and 4th sections :"

Pending which,

On motion by Mr. Harvey,

The House adjourned until to-morrow morning, 9 o'clock.

SATURDAY MORNING, FEBRUARY 5, 1848.

House met.

On leave granted, Mr. Meredith introduced

No 373. A bill to amend an act entitled an act authorizing a company to construct a turnpike road from Cambridge city to Muncietown;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

On leave granted, Mr. Ford introduced

No. 374. A bill relative to high waters in the county of Jackson;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bryant moved to suspend rules, to take up message from the Senate containing bill 196;

Which motion prevailed.

A message from the Senate by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have this day passed an engrossed bill thereof No. 196, entitled, "A bill for the relief J. and E. L. Beard," in which the concurrence of the House is respectfully requested.

Said bill in said message above mentioned was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted, Mr. Terry introduced

No. 375. A bill for the benefit of Michael Riley ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Holden asked and obtained leave of absence for Mr. Norris until Monday next.

Mr. Wolfe asked and obtained leave of absence for Mr. Danner for a short time.

On leave granted, Mr. DeBruler introduced

No. 376. A bill authorizing the clerk of the probate court to

issue a *capias ad respondendum* against executors, administrators, or guardians in certain cases ;

Which was read a first and second times, the rules being suspended therefor, and referred to the judiciary committee.

Mr. Harlan moved to add five members more to the committee on enrolled bills ;

Which motion prevailed—whereupon,

The Speaker appointed the following gentlemen, viz. :—Messrs. Gooding, Little, Jones of Switzerland, Hamilton, and Hankins.

REPORTS FROM COMMITTEES.

Mr. Covington, from the committee on the affairs of the town of Indianapolis, made the following report :

MR. SPEAKER :

The committee on the affairs of the town of Indianapolis, to whom was referred bill No. 222, have instructed me to report the same back without amendment, and respectfully recommend its passage :

No. 222. A bill to authorize the sale of certain lots in Indianapolis ;

Which was ordered to be engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Covington also made the following report :

MR. SPEAKER :

The committee on the affairs of the town of Indianapolis, to whom was referred the petition of Charles W. Cady, President of the City Council of Indianapolis, asking authority to levy a special tax in said city of Indianapolis for the purchase of a fire engine, and also praying the State to make an appropriation for said purpose, have had the same under consideration, and have instructed me to report that they deem any legislation upon the subject at this time inexpedient, and they respectfully ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Smiley, from the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of C. W. Brown, of Laporte, have had the same under consideration and have directed me to report that it is inexpedient to legislate on the matter contained in said petition, in which they ask the concurrence of the House ;

Which was concurred in.

Mr. Smiley also made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition and affidavit of Jacob Emshiniller, of Blackford county, have had the same under consideration, and have directed me to report that it is inexpedient to grant the prayer of said petitioner, in which they ask the concurrence of the House ;

Which was concurred in.

Mr. Smiley also made the following report :

MR. SPEAKER :

The committee on claims, to whom were directed by a resolution of the House, to inquire into the expediency of allowing the claim of A. N. Blacklidge, for services rendered in organizing and commissioning the volunteers of this State, have had the same under consideration, and have directed me to report that said claim is just to the amount of \$30,50, which amount they recommend be allowed said Blacklidge in the specific appropriation bill, in which they ask the concurrence of the House ;

Which was concurred in.

Mr. Hall made the following report :

MR. SPEAKER :

The committee on claims, who were directed to inquire into the justice of the claim of John Bishop, have had the same under consideration, and have directed me to report that it is inexpedient to allow said claim, in which they ask the concurrence of the House ;

Which was concurred in.

Mr. Hall also made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the resolution

relative to the claim of Samuel M. Bowlin, have directed me to report against the allowance of said claim for want of evidence, in which they ask the concurrence of the House ;

Which was concurred in.

Mr. Dougherty, from the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred a bill for the relief of A. G. Selman, have had the same under consideration, and have directed me to report the same back to the House without amendmēt, and recommend its passage.

No. 139. A bill (Senate) for the relief of A. G. Selman ;

Which was ordered to be read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dougherty also made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred a resolution relative to the claim of Oliver Johnson, have had the same under consideration, and have directed me to report that it is inexpedient to allow said claim, in which they ask the concurrence of the House ;

Which was concurred in.

Mr. Dougherty also made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred bill No. 245, "An act for the relief of Joseph R. Pratt," have had the same under consideration, and have made the accompanying amendment, and when so amended, to recommend its passage.

The following is the amendment :

Strike out "1813 dollars and 88 cents," and insert "2069 dollars and 33 cents."

Which was concurred in, and,

Said bill ordered to be engrossed for a third reading.

Mr. Slater, from the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of George Conner, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the matters contained in said petition, in which they ask the concurrence of the House.

Which was concurred in.

Mr. Lane asked and obtained leave to withdraw the papers in the case mentioned in the above report.

Mr. Slater also made the following report :

MR. SPEAKER :

The committee on claims, who were directed by resolution to inquire into the justice of the claim of George Youngerman, have had the same under consideration, and have directed me to report that it is inexpedient to allow said claim, in which they ask the concurrence of the House;

Which was concurred in.

Mr. Slater also made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred a bill for the relief of Thomas W. Gibson and others, have had the same under consideration, and have directed me to report that they are favorable to the passage of the first section of said bill making an allowance to said Thomas W. Gibson, but as to the second section of said bill, making an allowance of certain sums to John Van Trees, to be distributed by him among divers persons entitled thereto, they are equally divided, (absent Mr. Blackstone,) and have directed me to report the facts to the House.

No. 308. A bill for the relief of Thomas M. Gibson and others.

Mr. Kinney moved to amend said bill by inserting after the word "unclaimed," in the 2d section, line 13th, the words "within two months ;"

Which was adopted.

Mr. Lowe moved to amend said bill so as to require the [voucher to be filed in the clerks' office ;

Which was adopted, and

Said bill was ordered to be engrossed for a third reading.

Mr. Dougherty also made the following report :

MR. SPEAKER :

The committee on claims to whom was referred bill No. 118, for the relief of John Burk, have had the same under consideration, and directed me to report, that they deem further legislation on the matter contained in the bill, inexpedient, and recommend the indefinite postponement of the same, in which the concurrence of the House is respectfully asked;

Which was concurred in, and said bill indefinitely postponed.
Mr. Dougherty also made the following report :

MR. SPEAKER :

The committee on claims to whom was referred the resolution in reference to the claim of Isaac P. Smith, have had the same under consideration, and directed me to report, that the evidence in support of said claim is not sufficient to justify the payment of the same, and that it is inexpedient to allow said claim, in which the concurrence of the House is respectfully asked;

Which was concurred in.

Mr. Miller from the committee on roads, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the resolution instructing said committee to revise and amend the present laws now in force in relation to public roads and highways, and the publication of the same in pamphlet form, for distribution throughout the State, have performed that duty, and have directed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration of the subject :

No. 377. A bill to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing and vacating public highways, and the erection and repair of bridges, and to amend the same.

Which was read a first time and ordered to a second reading.

Mr. McDonald of lake on leave granted, made the following report from a select committee:

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No. 165, have had the same under consideration, and a majority of said

committee have instructed me to report the following amendment to the first section of the bill: "*Provided*, That in extending the said road west of Michigan City, Valparaiso in Porter county, and Crown Point in Lake county, shall be made points on the line of said road, and ask to be discharged" &c.

No. 165. A bill to amend an act entitled "an act to incorporate the Buffalo and Mississippi railroad company," approved February 6, 1835, and the several acts amendatory thereto;

Said amendment in said report mentioned, was adopted and said bill considered as engrossed, the rules being suspended therefor, and passed

Ordered, That the Clerk inform the Senate thereof.

On leave granted, Mr. Miller offered the following resolution:

Resolved, That the committee of ways and means are hereby instructed to report in the specific appropriation bill, an allowance of fifteen dollars (\$15) to James Bradley, for services as clerk for committee on roads.

Which was adopted.

Mr. Miller made the following report:

MR. SPEAKER:

The committee on roads to whom was referred House bill No. 227, "extending the time for supervisors to work their roads," have had the same under consideration and have directed me to report it back to the House and ask that said bill be laid on the table;

Which was concurred in, and said bill laid on the table.

Mr. De Bruler moved to take from the table bill No. 227;

Which motion prevailed; and

On motion by Mr. De Bruler,

Said bill was referred to a select committee of Messrs. De Bruler, Sackett, and Holden.

Mr. Commons made the following report:

MR. SPEAKER:

The committee on roads to whom was referred House bill No. 35 in relation to the publication and distribution of the road laws, have had the same under consideration, and find the matters therein contained, fully incorporated in the general bill just reported by said committee, and ask to be discharged &c.

Which was concurred in.

Mr. Commons also made the following report:

MR. SPEAKER :

The committee on roads to whom was referred the petition in reference to a State road in the counties of Wayne and Randolph, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 378. A bill to establish a State road on a part of the county line dividing the counties of Wayne and Randolph;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads, to whom was referred House bill No. 233, in relation to the collection of road receipts, have had the same under consideration, and are of opinion that the matter therein contained are fully embraced in the general bill just reported by said committee on roads, and asked to be discharged from the further consideration of the subject:

Which was concurred in and said bill laid on the table.

Mr. Coffin made the following report :

MR. SPEAKER :

The committee on roads and internal improvement, to whom was referred a resolution of the House, instructing them to inquire into the expediency or propriety of obtaining from the White Water Valley Canal Company a surrender of their charter, have considered the same, and have instructed me to report that it is inexpedient at the present time to legislate upon that subject, and ask to be discharged from the further consideration thereof;

Which was concurred in.

Mr. Dole made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred the petition of sundry citizens of Carroll county, in relation to declaring the side cut constructed by the Delphi Storage and Forwarding Company a part of the Wabash and Erie Canal, have had that subject under consideration, and have instructed me to report the following bill and recommend its passage :

No. 379. A bill making the side-cut constructed by the Delphi

Storage and Forwarding Company a part of the Wabash and Erie Canal;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Trimby made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred the petition of sundry citizens of Fayette county, with certain instructions, to inquire into the expediency of reporting a bill that shall exempt from taxation all lands that have been taken by the State for purposes of internal improvement, have had the subject under consideration, and have instructed me to report that in their opinion it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Dole made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to whom was referred bill No. 251, have had the same under consideration, and have directed me to report the same back to the House with the following amendment, and when so amended recommend its passage :

No. 251. A bill to re-appraise the Wabash and Erie Canal lands.

Was ordered to be engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Colip made the following report :

MR. SPEAKER :

The committee on agriculture, to whom was referred the petition of sundry citizens of the counties of Henry and Floyd, asking that a tax be levied on dogs, and for other purposes, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 380. A bill for the preservation of sheep:

Was read a first and second time, the rules being suspended therefor, when,

Mr. Graham moved to strike out Pike county from the provisions of the bill ;

Which motion did not prevail.

Mr. Wolfe moved to strike out Sullivan county from the provisions of the bill ;

Which motion did not prevail.

Mr. Hamilton moved to strike out the sections of the bill which exempt Wayne county from the provisions of the bill ;

Which motion prevailed.

Mr. Morrison moved to strike out Scott county from the provisions of the bill ;

Which motion did not prevail.

Mr. Nimmons moved to strike out Noble and Lagrange counties from the provisions of the bill ;

Which motion did not prevail.

Mr. Kinney moved the previous question ;

Which was seconded.

The question then being "shall the main question be now put?"

It was decided in the affirmative.

The question then being "shall the bill be engrossed?"

The ayes and nays being demanded by Messrs. Wolf and Graham,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Brown, Bryant, Coffin, Colip, Commons, Criswell, Dimmett, Doyle, Hall, Hamilton, Harvey, Holden, Huddleston, Kennard, Lane, Little, Lowe, Miller, Orton, and Winstandley—23.

Those who voted in the negative are,

Messrs. Bowling, Campbell, Carr, Coble, Cole, Covington, Danner, Dobson, Dole, Dougherty, Ford, Fuller, Gooding, Goodman, Gordon, Graham, Hankins, Harding, Harlan, Hetfield, Hull, Hunt, Keiser, Kinney, Lichteberger, Lockwood, Major, May, McConnell, McCormick, McDonald of A., McKinzie, Mills, Morrison, Nimmons, Orr, Parker, Prather, Richmond, Roach, Robinson, Rulon, Short, Shryock, Smiley, Sullivan, Terry, Thompson of C., Tinbrook, Trimble, Widney, Williams of K., Williams of M., Wolfe, and Mr. Speaker—55.

So said bill was not engrossed.

Mr. Harlan moved that Mr. Stanton be added to the committee on enrolled bills.

Which motion prevailed.

Mr. Gooding made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petition of Richard Jabez, and others, praying an act of incorporation for the town of Washington, in Wayne county, Indiana, and also the remonstrance of John Hatfield and others against the prayer of said petition, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 381. A bill to incorporate the town of Washington, Wayne county, Indiana;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Harvey made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the House, No 315, entitled, "A bill to incorporate the Peru, Rochester, Plymouth, and South Bend Railroad company, have had the same under consideration, and directed me to report the same back to the House, with one amendment, and when so amended, recommend its passage. And said committee ask to be discharged from the further consideration of the subject.

The following is the amendment :

Amend by adding the following proviso :

Provided, That nothing herein contained, shall in anywise affect, change, or modify, the provisions of the charter of the "Peru, and Indianapolis Railroad company," and nothing herein, shall be so construed as to impair any of the rights of said company ;

And said report with said amendment, was concurred in, and, Said bill was ordered to be engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. May, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petition of sundry citizens of Fountain county, praying the passage of an act amendatory of an act, to incorporate the Covington Drawbridge company, approved January 26th, 1847 : and also the

remonstrance of John Adamson & Co., against the same, have had the subject under consideration, and a majority of the committee have instructed me to report the following bill, and recommend its passage, and ask to be discharged from the further consideration of the subject ;

No. 215. A bill to revive and amend the act relative to the Covington Draw bridge company ;

Which was ordered to be engrossed, and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Major made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred the petition of sundry citizens of Kelso township, in the county of Dearborn, praying for the incorporation of an English and German Lutheran church, in said township, under the name and title of the English and German Evangelical Lutheran St. Paul's church, have had the same under consideration, and have instructed me to report a bill to that effect, and recommend its passage.

No. 382. A bill to incorporate the English and German Evangelical Lutheran and St. Paul's church, in the county of Dearborn.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harvey, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate, No. 90, with amendment of the House thereto, entitled, "An act to incorporate the Ohio and Mississippi Railroad company," together with the petition of certain citizens of the State of Illinois, praying this Legislature to suspend all action in regard to the subject matter of said bill for the present session, have had the same under consideration, and a majority of said committee have instructed me to report said bill, amendment, and petition, back to the House, and recommend the passage of said bill, as amended. And said committee ask to be discharged from the further consideration of the subject.

A bill No. 90, (Senate,) to incorporate the Ohio and Mississippi Railroad company.

Mr. Blythe moved to recommit said bill to the committee on corporations, with the following instructions :

“To insert a section or sections, providing for the incorporation of any company or companies, hereafter to be organized for the purpose of connecting with said road at any point thereof, within the limits of this State, from any point, or on either side of said road, and confirming the rights, powers, and duties of such company, or companies, so raised for the purpose of connecting with said road.”

Mr. Cookerly moved to amend Mr. Blythe's motion, by referring said bill, with said instructions, to a select committee.

Which motion was accepted by the mover.

Pending which,

On motion by Mr. Dunham,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

A bill, No. 90, (Senate,) to incorporate the Ohio and Mississippi Railroad company ;

Which was pending at the last adjournment.

The question being, “shall the bill be referred to a select committee with the instructions?”

The ayes and noes being demanded by Messrs. Cookerly and Gooding,

Those who voted in the affirmative are,

Messrs. Blythe, Bowling, Coffin, Cole, Colip, Commons, Cookerly, Covington, Dougherty, Gooding, Gordon, Hall, Hamilton, Harding, Harlan, Jones of Switzerland, Kennard, Lichteberger, Little, Mills, Neal, Orr, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimby, and Williams of Monroe—28.

Those who voted in the negative are,

Messrs. Armstrong, Brown, Bryant, Carr, Chambers, Criswell, Danner, Davis, De Bruler, Dimmett, Dobson, Doyle, Dunham, Ford, Goodman, Graham, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Kinney, Lane, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald, of Lake, McKinzie, Meredith, Miller, Morrison, Orton, Prather, Roache, Robinson, Short,

Shryock, Slater, Smiley, Sullivan, Terry, Widney, Williams, of Knox, Winstandley, and Mr. Speaker—50.

So said bill was not so referred.

Mr. Cookerly moved to refer said bill to a select committee, with the following instructions :

“To insert a clause restricting either the stockholders or directors, and to limit the time of said company, strike out all that gives the corporation perpetual succession.

“Also, a provision that said Railroad may cross the line on the eastern side of the State of Indiana, at any point they may deem most advisable and expedient.”

Mr. Lane called for a division of the question.

The question then being, “shall the bill be referred?”

It was decided in the negative.

Mr. Gooding moved to lay said bill upon the table;

Which motion did not prevail.

Mr. Neal moved to amend said bill by inserting at the proper place :

“That the stockholders of said company shall be individually liable for all the debts contracted by said company for labor done, in proportion to the amount of stock that each holds in said corporation.”

Mr. Lane moved to lay said amendment on the table ;

The question being,

“Shall the amendment lie upon the table?”

The ayes and noes being demanded by Messrs. Neal and Gooding :

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Bowling, Bryant, Carr, Chambers, Coffin, Cole, Colip, Commons, Cookerly, Criswell, De Bruler, Dougherty, Doyle, Fuller, Goodman, Gordon, Graham, Hankins, Harvey, Holden, Huddleston, Hunt, Kinney, Lane, Line, Little, Lockwood, Lowe, May, McCormick, McDonald of Adams, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Prather, Richmond, Robinson, Sackett, Short, Smiley, Stanton, Swihart, Terry, Thompson of Gibson, Trimble, Williams of Knox, Wolfe, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Blythe, Campbell, Covington, Danner, Davis, Dimmett, Ford, Gooding, Hall, Harlan, Hetfield, Jones of Bartholomew, Jones of Switzerland, Kennard, Lichteberger, Major, McConnell, McDonald of Lake, Neal, Rulon, Shryock, Slater, Tinbrook, and Widney—24.

So said amendment was laid upon the table.

Mr. Jones, of Switzerland, moved to amend said bill as follows :

SEC. — The directors of said company that shall contract any debts over and above the amount of good and solvent stock subscribed, shall be individually liable for the payment of such excess ; and the Legislature reserves the right to alter or amend the charter at any time, and to repeal the same, whenever its provisions shall have been violated by said company.

Mr. Lane moved to lay said amendment upon the table ;

The question being,

“ Shall the amendment lie upon the table ? ”

The ayes and noes being demanded by Messrs. Jones of Switzerland and Gooding ;

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Bryant, Carr, Coffin, Cole, Commons, Criswell, Danner, Davis, De Bruler, Dimmett, Dobson, Dougherty, Doyle, Fuller, Goodman, Hankins, Harvey, Holden, Huddleston, Hull, Hunt, Kinney, Lane, Lockwood, Lowe, Major, May, McCormick, McDonald of Adams, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Prather, Richmond, Short, Smiley, Stanton, Swihart, Terry, Williams of Knox, Williams of Madison, and Mr. Speaker—48.

Those who voted in the negative are,

Messrs. Blythe, Campbell, Covington, Dobson, Fuller, Gooding, Hall, Harding, Harlan, Jones of Switzerland, Kennard, Lichteberger, Line, McConnell, McDonald of Lake, Neal, Rulon, Shryock, and Tinbrook—19.

So said bill was laid upon the table.

Mr. Lowe moved to amend said bill as follows :

At the close of the second section add the following :

“ *Provided further,* That when the aggregate amount of dividends declared shall amount to the full sum invested, and ten per centum per annum thereon, the Legislature may so regulate the tolls and freights that not more than fifteen per centum per annum shall be divided on the capital employed, and the surplus profits, in proportion to the cost of construction of said road in the State of Indiana after paying expenses and reserving such proportion as may be necessary or proper for future contingencies, shall be paid over to the Treasurer of the State of Indiana for the use of common schools ; but the corporation shall not be compelled by law to reduce the tolls and freights so that a dividend of fifteen per centum per annum cannot be made ; and it shall be the duty of the corporation to furnish the Legislature, if required, with a correct statement of the amount of expenditures and the amount of profits, after deduct-

ing all expenses, which statement shall be made under the oath of the officer whose duty it shall be to make the same."

Add at the close of the 13th section,

"*Provided*, That said corporation shall not undertake the construction of said road beyond the limits of the State of Indiana until the right of way shall have been granted by the State wherein it is proposed to construct the same."

Which was adopted.

Mr. Dobson moved to amend said bill "by striking out Lawrenceburgh as a point on said road."

Mr. Lane moved to lay said amendment on the table ;

Which motion prevailed.

Mr. McDonald, of Lake, called the previous question.

Which was seconded.

The question then being,

"Shall the main question be now put?"

It was decided in the affirmative.

The question then being,

"Shall the bill be engrossed?"

Mr. Hull was excused from voting by the House.

The ayes and noes being demanded by Messrs. Blythe and Gooding :

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Bryant, Carr, Cole, Colip, Commons, Criswell, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Fuller, Goodman, Hankins, Harvey, Hetfield, Holden, Hunt, Jones of Bartholomew, Kinney, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Orr, Prather, Richmond, Roache, Robinson, Rulon, Sackett, Short, Slater, Smiley, Stanton, Swihart, Terry, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—60.

Those who voted in the negative are,

Messrs. Blythe, Coffin, Covington, Gooding, Gordon, Hall, Kennard, Neal, Thompson of Gibson, and Williams of Madison—10.

So said bill was ordered to be engrossed,

And read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. McDonald of Lake,

The rules were suspended, and the following message from the Senate, by Mr. Test their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have refused to concur in the engrossed amendment of the House to the engrossed bill of the Senate No. 165, entitled "An act to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6, 1836, and the several acts amendatory thereto.

On motion by Mr. Hunt,

The House receded from its amendment to said bill.

A message from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment, to-wit :

No. 76. An act to amend an act entitled "An act to authorize the people of Fayette and other counties therein named, to elect their seminary trustees ;"

No. 103. An act in relation to the fees of the treasurer of Owen county, in certain cases ;

No. 227. An act to abolish the office of school commissioner in the county of St. Joseph, and to transfer the duties of said office to the county treasurer ;

No. 277. An act to authorize the alteration of a certain road therein named ;

No. 278. An act to improve the roads in the county of Switzerland ;

No. 279. An act to authorize John G. Johnson of Owen county, to correct a mistake in a certain deed ;

No. 280. An act to change a certain State road therein named, in the county of Jackson ;

No. 281. An act to change a certain State road in Jackson county ;

No. 282. An act to locate a certain State road therein named ;

No. 283. An act to incorporate the Council Grove Minute Men ;

No. 286. An act to locate a State road in the counties of Clay and Owen ;

No. 288. An act to locate a State road in the counties of Allen and Wells ;

No. 347. An act to vacate an alley in Cambridge City.

Mr. Dunham moved to suspend the rules, to take up House bill No. 245,

Which motion prevailed.

No. 245. A bill for the relief of Joseph R. Pratt ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Lane moved to reconsider the the vote on the engrossment of House bill No. 88 ;

Which motion prevailed.

On motion by Mr. Wolfe,

Said bill was referred to a select committee of Messrs. Wolf, Lowe, and Cookerly.

Mr. Williams of Madison made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred the petition of sundry citizens of Eagle Village, in Boone county, praying for an act of incorporation, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 383. An act to incorporate the town of Eagle Village, in Boone county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Williams of Madison, from the committee on corporations, made the following report :

MR. SPEAKER :

The committee on corporations to which was referred the petition of sundry citizens of the town of New Columbus, in Madison county, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage :

No. 384. A bill to incorporate the town of New Columbus, in Madison county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted, Mr. Kinney offered the following resolution :

Resolved, That the use of this Hall be tendered Governor Slade on Tuesday evening next, for the purpose of delivering a lecture on popular education.

Which was adopted.

Mr. Meredith made the following report :

MR. SPEAKER :

The committee on the State Bank to whom was referred Senate bill No. 136, authorizing the establishment of additional branches of the State Bank of Indiana, have had the same under consideration, and directed me to report the same back to the House with two amendments: Amend section four by striking out the county of "Shelby," and insert the county of "Union." Amend section sixth by striking out the word "servant," and insert the words "person employed," and recommend its passage, and the committee asks to be discharged from the further consideration of the subject.

Mr. Neal dissents from the report.

No. 136. A bill (Senate) authorizing the establishment of additional branches of the State Bank of Indiana;

The House refused to concur in the amendments proposed by the committee.

Mr. Porter moved to amend by striking out Harrison county from the provisions of the bill;

Which motion prevailed.

Mr. Cole moved to amend by inserting Kosciusko county in the provisions of the bill;

Which motion prevailed.

Pending further consideration of said bill,

On motion by Mr. Wolfe,

The House adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, FEBRUARY 7, 1848.

The House met.

On motion by Mr. Meredith,

The reading of the journal was dispensed with.

Mr. Sackett asked and obtained leave of absence for Mr. De Bruler, from next Friday until the close of the session.

Mr. Meredith asked and obtained leave of absence for Mr. Colip, for the remainder of the session.

Mr. Cole asked and obtained leave of absence for Mr. Hamilton, from Saturday next until the close of the session.

On leave granted,

Mr. Meredith introduced,

No. 385. A bill to better enable the citizens of Congressiona

township No. 20 north, of range No. 5 east, in the county of Hamilton, to sell school lands ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Lichteberger introduced,

No. 386. A bill to incorporate the Mechanics' and Working Men's Institute, of Mount Vernon, Posey county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

The following was presented by Mr. Line :

Petition of William Roberson, who arrested a fugitive from justice who fled to Ohio ;

Which was referred to a select committee of Messrs. Line, Coffin, and Hankins.

No. 136. A bill (Senate) authorizing the establishment of additional branches of the State Bank of Indiana ;

Which was pending at the last adjournment, together with the amendments thereto, was taken up.

Mr. Thompson moved to reconsider the vote on adding Kosciusko county to the provisions of the bill.

Which motion prevailed.

Mr. Cole moved to amend said bill as follows :

Amend by striking out all of the first section after the word "point," in the 7th line, and insert,

"On the line of the Wabash and Erie Canal between Lafayette and Fort Wayne, as may be suitable, and most central between said points."

Which was not adopted.

Mr. Cole moved to reconsider the vote striking out Kosciusko county from the provisions of the bill.

Which motion did not prevail.

The following amendment, proposed by the committee, was adopted :

Amend section sixth by striking out the word "servant," and insert the words "persons employed."

The question then being,

"Shall the bill be ordered to a third reading?"

And the ayes and noes being demanded by Messrs. Cole and Neal,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Brown, Bryant, Chambers, Coffin, Com-

mons, Cookerly, Criswell, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Frazer, Goodman, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Keiser, Kinney, Lichteberger, Line, Little, Lockwood, McConnell, McKinzie, Meredith, Miller, Mills, Morrison, Orr, Parker, Prather, Richmond, Robinson, Sackett, Shryock, Smiley, Stanton, Thompson of Carroll, Williams of Knox, Williams of Madison, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Bowling, Carr, Cole Covington, Ford, Fuller, Hall, Harlan, Jones of Bartholomew, Jones of Switzerland, Kennard, Major, May, McDonald of Adams, Neal, Orton, Rulon, Short, Slater, Tinbrook, Trimby, Widney, Winstandley, and Wolfe—24.

So said bill was ordered to a third reading.

On motion by Mr. Meredith,

The rules were suspended and the bill read a third time.

The question then being,

“Shall the bill pass?”

And the ayes and noes being demanded by Messrs. Jones of S., and Winstandley,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Chambers, Coble, Coffin, Commons, Cookerly, Dimmett, Dobson, Dole, Dougherty, Doyle, Frazer, Goodman, Gordon, Graham, Hamilton, Harding, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Keiser, Kinney, Lichteberger, Line, Little, Lockwood, McKinzie, Meredith, Miller, Mills, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Shryock, Smiley, Stanton, Swihart, Thompson of Carroll, Williams of Knox, Williams of Madison, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Bowling, Carr, Cole, Criswell, Ford, Fuller, Gooding, Hall, Harlan, Jones of Bartholomew, Jones of Switzerland, Kennard, May, McConuell, McDonald of Adams, Neal, Rulon, Short, Slater, Tinbrook, Trimby, Widney, Winstandley, and Wolfe—24.

So said bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hull moved to take from the table House bill No. 70.

Which motion did not prevail.

A message from the Senate, by Mr. Ellis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the engrossed bill of the Senate.

No. 90. An act to incorporate the Ohio and Mississippi Railroad Company.

Mr. Wolfe, from the committee on the trust funds, made the following report :

MR. SPEAKER :

The committee on the trust funds, to whom was referred the petition of S. Overturf and others, citizens of Switzerland county, praying for a change of the existing laws in regard to the management of the school funds, and for the repeal of an act approved February 10, 1843, relative to the fees of the county auditor of Switzerland county, have had the same under consideration, and have directed me to report that we deem it inexpedient to legislate further thereon at this time, and the committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Brown made the following report :

MR. SPEAKER :

The committee on benevolent and scientific institutions to whom was referred the resolution of the House on the subject of a geological survey of the State, have had the same under consideration and have directed me to report that it is inexpedient to legislate upon the subject at this time, and ask to be discharged from the further consideration thereof.

Which was concurred in.

REPORTS FROM SELECT COMMITTEES.

No. 331. A bill to authorize county surveyors to administer an oath, and another purpose ;

Which was pending at a former adjournment, was taken up, and the question being on Mr. Lockwood's motion to amend by striking out the 2d and 4th sections ;

On motion by Mr. Lowe,

Said bill was referred to a select committee of Messrs. Lowe, Lockwood, and Dobson.

Mr. Meredith moved to reconsider the vote on the indefinite postponement of bill No. 138, a bill to amend the 22d section of the

10th chapter of the Revised Statutes, in reference to the duties of county surveyors and their deputies;

Which motion prevailed ; and

On motion by Mr. Meredith,

Said bill was referred to a select committee of Messrs. Lowe, Lockwood, and Dobson.

Mr. McConnell made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Jasper county, relating to the slack water navigation of the Iroquois river, have had the subject under consideration, and have directed me to report the following joint resolution and recommend its passage, and the committee ask to be discharged from the further consideration of the subject :

No. 387. A joint resolution in relation to the improvement of the Iroquois river, in the State of Indiana ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bryant made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Warren county, praying the establishment of a horse ferry at the town of Williamsport, have instructed me to report the following bill and to recommend its passage :

No. 388. A bill to establish a horse ferry across the Wabash river at the town of Williamsport ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dobson made the following report :

MR. SPEAKER :

The select committee to whom was referred bill 82, to vacate South Port in Owen county, and also a remonstrance against said bill, have had the same under consideration and have directed me to report said bill back to the House and ask to have it laid on the table;

Which was concurred in, and said bill was laid on the table.

Mr. Nimmons made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Samuel Widner, praying for a divorce from his wife Jane Widner, have had the same under consideration and report that they have fully investigated the facts which led to the separation of the parties, and find them to be in substance, that the parties married several years ago, and had as the fruits of such marriage, three children all of which was well calculated, and should bind and forever fasten the matrimonial ties; that in this instance such was not the case, but on the contrary, the said Jane being propelled forward by a strong feeling of lust, uncontrolled by education, intellect, morality, or the precepts of the christian religion, and not having the fear of God before her eyes, but wholly instigated by the devil and her adulterer, with all his faults, imperfections, and powers misdirected, did in the year 1847, abandon the petitioner and said children, and fly to the lecherous embraces of an incestuous, unmitigated scoundrel and villain, and has ever since that time continued to live with him, in the State of Michigan, in open and notorious adultery; your committee therefore report the following bill and recommend its passage :

No. 389. A bill granting a divorce for Samuel Widner, from his wife Jane Widner;

Which was read a first time, and,

On motion by Mr. Little,

Said bill was rejected.

Mr. Lane made the foilowing report :

MR. SPEAKER :

The select committee to whom was referred the petition of Stephen Ludlow and Isaac Dunn, have had the same under consideration and report the following bill and recommend its passage:

No. 390. A bill to vacate certain lots alleys, and streets therein named, in the town of New Lawrenceburgh in Dearborn county;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hunt made the following report :

MR. SPEAKER :

A majority of the select committee to whom was referred the petition of citizens of Elkhart county praying a repeal of a part of the charter of the Buffalo and Mississippi railroad company, have had that subject under consideration and have instructed me to re-

port that they deem it inexpedient at present to legislate upon the subject, and ask to be discharged ;

Which was concurred in.

Mr. Mills made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Avery Allen, praying for the passage of a law to authorize him to make a deed in a certain case, have had the same under consideration, and directed me to report the following bill, and recommend its passage :

No. 391. A bill to authorize Avery Allen, of Posey county, to make a deed in a certain case to certain land in said county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bowling made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition of sundry citizens of Clay county, relative to a change of a certain State road in said county, have had the same under consideration, and have directed me to report the following bill and ask its passage :

No. 392. A bill to locate a certain State road in Clay county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Wolfe made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill No. 88, entitled "An act to incorporate the Evansville, Vincennes, and Terre Haute Railroad Company," have had the same under consideration, and have directed me to report the same back to the House, with sundry amendments, in which they respectfully ask the concurrence of the House.

The following are the amendments proposed by said committee :

1st Amendment—Sec. 1, by striking out Vigo county and the directors selected from said county.

2d Amendment—15th line, by striking out Terre Haute and insert Sullivan.

3d Amendment—Sec. 5, 11th line, by striking out Terre Haute and insert Sullivan.

4th Amendment—Sec. 20, 2d line, by striking out 5 and insert 10.

5th Amendment—Sec. 30, by striking out Terre Haute and insert Sullivan, which shall be the terminating point in said county, unless the citizens of said county shall select some other point which, in their opinion, will be more practicable, and it is hereby provided that said company shall have the right to extend said Railroad to Terre Haute in preference to any other Company ;

Which were adopted.

The question then being,

“ Shall the bill be engrossed for a third reading?” and

The ayes and noes being demanded by Messrs Graham and Terry,

Those who voted in the affirmative are,

Messrs. Armstrong, Blythe, Bowling, Carr, Coffin, Cole, Cookerly, Covington, Criswell, Doyle, Ford, Gooding, Hall, Hamilton, Harding, Harlan, Hetfield, Hull, Jones of Bartholomew, Kennard, Kinney, Lane, Major, McConnell, McDonald of Adams, McKinzie, Neal, Nimmons, Richmond, Sullivan, Swihart, Thompson of Gibson, Trimby, Widney, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—39.

Those who voted in the negative are,

Messrs. Albin, Commons, DeBruler, Dimmett, Dobson, Dougherty, Frazer, Fuller, Gordon, Graham, Hankins, Harvey, Lichteberger, Little, Lockwood, Lowe, May, McCormick, Meredith, Mills, Morrison, Orr, Orton, Parker, Prather, Sackett, Short, Smiley, Terry, Tinbrook, and Williams of Madison—31.

So said bill was ordered to be engrossed for a third reading.

Mr. Coble made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Crawford county, praying for the repeal of an act entitled “ An act to apportion Senators and Representatives for the next five years,” approved January 19, 1846, so far as the counties of Crawford and Orange are concerned, have had the same under consideration, and a majority have directed me to report the following bill and recommend its passage :

No. 393. A bill in relation to the elections of Representatives in the General Assembly from the counties of Orange and Crawford ;

Which was read a first time and ordered to a second reading.

Mr. Jones, of Switzerland, asked and obtained leave of absence for Mr. Covington from to-morrow morning until the close of the session.

Mr. Gooding made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Peter Robasco and 53 others, praying for the vacation and re-location of a certain State road therein named, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 394. A bill concerning a State road therein named in Hancock county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Miami county to repeal an act fixing the salary of the auditor of Miami county, approved January 23, 1847, have had the subject under consideration, and have directed me to report the following bill in accordance with the prayer of said petitioners and recommend its passage.

No. 395. A bill to repeal an act fixing the salary of the auditor of Miami county, approved January 27, 1847;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cookerly made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition from a number of citizens of Green county, praying a change in the election laws so as to allow the voters of said county to vote at any precinct in the county, have had the same under consideration, and have directed me to report the same back and recommend that it be laid on the table.

Mr. Lockwood, one of the committee, dissents from the opinion of a majority.

Which was concurred in, and said petition was laid on the table.
Mr. Harvey made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House, No. 316, have had the same under consideration, and directed me to report the same back to the House with one amendment, and when so amended recommend its passage; and said committee ask to be discharged from the further consideration of the subject.

The following is amendment to said bill proposed by said committee :

SEC. 4. That all proofs of publication and setting up of notices as named in this act, heretofore made by the affidavit of any executor, administrator, or guardian, are hereby legalized and rendered as valid and effectual as if this act had been in full force and effect at the time of such publication or setting up of notices and the proof thereof.

Which was adopted.

No. 316. A bill amending section 453 of the Revised Statutes of 1843, and for other purposes ;

Was considered as engrossed and read a third time, the rules being suspended therefor, and passed, as amended above.

Ordered, That the Clerk inform the Senate thereof.

Mr. Thompson of G., made the following report :

MR. SPEAKER :

The select committee to whom was referred Senate bill, No. 141, an act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Posey, have had the same under consideration and have instructed me to report it back to the House, with the following amendments, and recommend its passage :

Sec. 4. Strike out after '1843' so much as relates to the act of 1847 ;

Sec. 4. Line 7—strike out the word 'are' and insert the word 'is.'

Strike out Posey county wherever in occurs in the bill.

Likewise strike out Boone county.

Which amendments were adopted, and,

The bill read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Kinney made the following report :

MR. SPEAKER :

The select committee to which was referred a joint resolution (144) relative to the national road, have had the same under consideration, and beg leave to report the same back to the House and recommend its passage :

No. 144. A joint resolution (of the Senate) relative to the national road ;

Which was ordered to be engrossed for a third reading.

Mr. Gooding moved to reconsider the vote on the engrossment of said bill ;

Which motion did not prevail.

On motion by Mr. Meredith,

The rules were suspended therefor, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Peru to vacate a portion of a certain street therein named, have had the subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 396. A bill to vacate a portion of a certain street therein named ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. McDonald, of Adams, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of J. D. Nutman and others, of the county of Adams, praying for the vacation of a certain street therein named, have had that subject under consideration, and directed me to report the following bill and recommend its passage, viz :

No. 397. A bill to vacate a part of Union street, in the town of Decatur, in the county of Adams ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Sackett made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens of Spencer county, and one upon the same subject, from sundry citizens of Perry county, have directed me to report the following bill and recommend its passage :

No. 398. A bill to incorporate the Anderson River bridge company ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Shryock made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of sundry citizens of Fulton, Mashall, Pulaski, and Stark, counties, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 399. A bill to locate a State road in the counties of Fulton, Marshall, Pulaski, and Stark ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Meredith made the following report :

MR. SPEAKER :

The select committee to whom was referred sundry petitions on the subject of retailing spirituous liquors, have had the same under consideration, and directed me to report, that a bill has passed this House, on the same subject, and the committee asks to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Jones, of Switzerland, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill, No. 372,

have had the same under consideration, and have directed me to report the same back with one amendment, and when so amended, recommend its passage.

Amend by inserting at the proper place the following :

SECTION.— The stockholders of said company, shall be liable in their individual capacity, for any and all debts over and above the amount of good and solvent stock subscribed ; and the Legislature reserves the right to alter or amend this charter at any time, and to repeal the same, whenever its provisions shall have been violated by said company ;

Which was adopted.

No. 372. A bill to authorise the construction of lines of Morse's Magnetic Telegraph, in the State of Indiana, and for other purposes ;

Which was considered as engrossed, and the bill read a third time, the rules being suspended therefor, and passed, as amended as above.

Ordered, That the Clerk inform the Senate thereof.

Mr. De Bruler made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill, No. 227, have had the same under consideration, and have directed me to report said bill, as amended, and recommend its passage.

No. 227. A bill extending the time for Supervisors to work their roads in Spencer county.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Harvey made the following report :

MR. SPEAKER :

The joint select committee to whom was referred the communication of John H. Thompson, Secretary of State, praying an investigation of certain charges heretofore made against him, as Secretary of State, by "Messrs. Chapmans, late State printers," have had the same under consideration, and unanimously instructed me to report that said committee deem it inexpedient and unnecessary to investigate said charges, and said committee ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Kinney made the following report :

MR. SPEAKER :

The committee to whom was referred the joint resolution of this House, on the subject of our brave volunteers, have had that subject under consideration, and have instructed me to report the following substitute, and recommend its passage :

No. 362. A joint resolution demanding justice for our brave volunteers ;

Mr. Hunt moved to lay said joint resolution on the table, and

The ayes and noes being demanded by Messrs. Lane and Little,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Cookerly, Criswell, De Bruler, Dole, Dougherty, Frazer, Gooding, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison Nimmons, Orr, Orton, Parker, Prather, Richmond, Robinson, Sackett, Stanton, Swihart, Thompson, of Carroll, Thompson, of Gibson, Williams, of Monroe, and Mr. Speaker—47.

Those who voted in the negative are,

Messrs. Armstrong, Blythe, Campbell, Carr, Chambers, Covington, Dimmett, Dobson, Doyle, Ford, Goodman, Hall, Harlan, Hetfield, Holden, Jones, of Bartholomew, Jones, of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line, Major, May, McConnell, McDonald, of Lake, Mills, Neal, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Tinbrook, Trimby, Williams, of Knox, Winstandley, and Wolfe—41.

So said joint resolution was laid on the table.

A message from the Senate, by Mr. Berry, a Senator.

MR. SPEAKER :

I am directed to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, without amendment, to-wit.:

No. 221. An act relative to the probate court, of Monroe county.

On motion by Mr. Meredith,
The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met.

Mr. Fuller moved to suspend the rules to take up House bill No. 353 ;

Which motion prevailed.

No. 353. A bill to incorporate the Boonville and Ohio river railroad company ;

Was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Roache,

The following message from the Senate by Mr. Orth a Senator was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, No. 240, entitled, "a bill to incorporate the Tippecanoe bridge company," in which the concurrence of the House is respectfully requested.

Said bill in said message mentioned, was read a first and second times, the rules being suspended therefor, and referred to to the committee on corporations.

Mr. Roache asked and obtained leave to withdraw a petition.

Mr. Dobson asked and obtained leave to withdraw a petition, heretofore presented by himself, from the files of the House.

Mr. Orr asked and obtained leave of absence for Mr. Keiser, from Wednesday next, until the close of the session.

Mr. Cole made the following report :

MR. SPEAKER :

The select committee to whom was refered the petition of citizens of Miami county in relation to the relocation of a certain State road in Miami county, have had the subject under consideration and have directed me to report the following bill and recommend its passage :

No. 400. A bill to locate and relocate a certain State road in the county of Miami ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered That the Clerk inform the Senate thereof.

Mr. McKinzie made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of William H. Shields and David M. Jones, have had the same under consideration and directed me to report the following bill, and recommend its passage :

No. 401. A bill declaring certain lots in the town of Greencastle without the corporation of said town ;

Which was read three several times, the rules being suspended therefor and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown made the following report :

MR. SPEAKER :

The select committee to whom was referred a petition from the citizens of Allisonville praying the passage of a law to prevent the retailing of spirituous liquors in the town of Allisonville, in Marion county, Indiana, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 402. A bill to prevent the retailing of spirituous liquors in the town of Allisonville, Marion county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamilton made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of 133 citizens of Sandcreek township in Decatur county, for a modification of the township voting law, and the erection of an additional voting precinct in said township, have authorized me to report the following bill, and ask its passage ;

No. 403. A bill to authorize additional precincts in Decatur county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted, Mr. Fuller, from the committee on military affairs, made the following report :

MR. SPEAKER :

The committee on military affairs to whom was referred so much of the Governor's message, as relates to his recommending additional allowance, to the Adjutant General, and Quartermaster General, have had that subject under consideration, and a majority of them have directed me to report the following bill, and recommend its passage :

No. 404. A bill making allowance to the Adjutant and Quartermaster Generals, for the year 1847;

Which was read a first and second times, the rules being suspended therefor, when,

Mr. Harvey moved to refer said bill to the committee on ways and means ;

Which motion did not prevail.

Mr. Fuller moved to amend said bill by filling the blank in said bill with \$150.

Which was adopted.

Mr. Fuller moved to suspend the rules, to read said bill a third time, and

The ayes and noes being demanded by Messrs. Little and Dole;

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blythe, Brown, Campbell, Carr, Chambers, Coffin, Cookerly, Covington, Criswell, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Frazer, Fuller, Gooding, Goodman, Hall, Hankins, Harlan, Harvey, Hetfield, Hull, Jones of Bartholomew, Keiser, Lane, Lichteberger, Major, May, McConnell, McDonald of Adams, Meredith, Mills, Neal, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Robinson, Short, Shryock, Slater, Smiley, Stanton, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimby, Widney, Williams of Knox, Winstandly, Wolfe—63.

Those who voted in the negative are,

Messrs. Albin, Bowling, Cole, Commons, Hamilton, Holden, Huddleston, Hunt, Kinney, Line, Little, McKinzie, Miller, Morrison, Williams of Madison, and Mr. Speaker—16.

So the rules were suspended and said bill read a third time.

Mr. Brown moved to amend said bill, as follows :

Add to the end of the second section :

“ Together with the amount expended by this State for similar services in the year 1846 ;

Which was adopted by unanimous consent.

Mr. Hamilton moved to refer the bill with the following instructions to committee on claims :

Strike out all that part relating to the compensation of the adjutant general, and fix his compensation at five hundred dollars, with office rent and incidental expenses ;

Which was not adopted.

Mr. Neal moved the previous question ;

Which was seconded.

The question then being, "shall the main question be put?"

It was decided in the affirmative.

The question then being " Shall the bill pass?" and

The ayes and noes being demanded by Messrs. Harvey and Hamilton,

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Brown, Bryant, Campbell, Carr, Chambers, Covington, Davis, De Bruler, Dimmett, Dobson, Dougherty, Doyle, Frazer, Fuller, Gooding, Goodman, Graham, Hall, Hankins, Harding, Harlan, Hetfield, Holden, Hall, Hunt, Jones of B., Kieser, Kennard, Lane, Lichteberger, Line, Lockwood, Major, May, McConnell, McDonald of A., Meredith, Miller, Mills, Morrison, Neal, Orr, Orton, Parker, Prather, Richmond, Roache, Rulon, Shryock, Slater, Smiley, Sullivan, Swihart, Terry, Thompson of C., Thompson of G., Tinbrook, Trimble, Widney, Williams of K., Winstandley, and Wolfe—64.

Those who voted in the negative are,

Messrs. Cole, Commons, Criswell, Gordon, Hamilton, Harvey, Huddleston, Kinney, McDonald of L., McKinzie, Nimmons, Williams of M., and Mr. Speaker—13.

To said bill passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Winstandley made the following report :

MR. SPEAKER :

The committee to whom was referred the petition and remonstrance of sundry citizens of Dearborn county on the subject of the "license laws," have had the same under consideration, and deem it unnecessary to legislate upon the subject in said county, and ask to be discharged from the further consideration thereof :

Which was concurred in.

Mr. Bryant made the following report :

MR. SPEAKER :

The select committee to whom was referred the subject of mileage of the members of the House, have instructed me to present the accompanying table of distances, and ask to be discharged from any further consideration of the subject ;

Which was concurred in, and,
The statement laid on the table.

Statement of the amount of mileage to which each member of the House of Representatives is entitled at the present session, computing the same by the most usually traveled route by land :

| <i>Members' names.</i> | <i>From what County.</i> | <i>Distance to county seat by the route traveled by public conveyance—miles.</i> | <i>Number of miles to which members are entitled, by the most usually traveled route to their respective residences.</i> |
|------------------------|--------------------------|--|--|
| William Albin, | Putnam, | 41 | 48 |
| A. W. Armstrong, | Montgomery, | 45 | 57 |
| J. W. Baldwin, | Henry, | 47 | 43 |
| J. E. Blythe, | Vanderburg, | 189 | |
| H. Blackstone, | Boone, | 27 | 28 |
| Elias Bowling, | Clay, | | 55 |
| Hervey Brown, | Marion, | | |
| Jas. R. M. Bryant, | Warren, | 75 | 75 |
| John B. Campbell, | Franklin, | 76 | 86 |
| Thomas Carr, | Clark, | 130 | |
| J. Chambers, | Jefferson, | 86 | 96 |
| John Coble, | Crawford, | | 125 |
| Samuel Coffin, | Henry, | 47 | 60 |
| A. A. Cole, | Miami, &c., | | 88 |
| Samuel Colip, | Hamilton, | 22 | 30 |
| D. Commons, | Wayne, | 63 | 63 |
| G. F. Cookerly, | Vigo, | 71 | 71 |
| S. F. Covington, | Ohio, | | 100 |
| David Criswell, | Ripley, | 62 | 62 |
| J. Danner, | Orange, | 104 | 112 |
| J. P. Davis, | Martin, | | 155 |
| T. F. De Bruler, | Spencer, | 200 | |
| J. W. Dimmitt, | Montgomery, | 45 | 59 |
| James Dobson, | Owen, | | 52 |
| Wm. P. Dole, | Vermillion, | | 102 |

STATEMENT—Continued.

| <i>Members' names.</i> | <i>From what County.</i> | <i>Distance to county seat by the route traveled by public conveyance—miles.</i> | <i>Number of miles to which members are entitled, by the most usually traveled route to their respective residences.</i> |
|------------------------|--------------------------|--|--|
| O. R. Dougherty, | Morgan, | | |
| John Doyle, | Tippecanoe, | 72 | 73 |
| C. L. Dunham, | Washington, | 100 | 100 |
| J. L. Ford, | Jackson, | 80 | 80 |
| J. S. Frazer, | Kosciusko, | 118 | 118 |
| J. Fuller, | Warrick, | 200 | 200 |
| D. S. Gooding, | Hancock, | 20 | 20 |
| B. F. Goodman, | Dubois, | 140 | 140 |
| Robert Gordon, | Wayne, | 63 | 60 |
| J. C. Graham, | Pike, | 135 | 135 |
| H. Hall, | Elkhart, | 160 | 165 |
| P. Hamilton, | Decatur, | 50 | 55 |
| Samuel Harding, | Marion, | | 4 |
| A. J. Harlan, | Grant, | 75 | 75 |
| J. S. Harvey, | Hendricks, | 23 | 23 |
| T. D. Hankins, | Fayette, | | 64 |
| S. Hetfield, | Fountain, | 75 | 87 |
| C. S. Holden, | Vigo, | 71 | 71 |
| J. M. Huddleston, | Rush, | 40 | 40 |
| F. Hull, | Jefferson, | 86 | 86 |
| F. W. Hunt, | Laporte, | 145 | |
| Charles Jones, | Bartholomew, | 42 | 42 |
| C. T. Jones, | Switzerland, | 100 | 100 |
| P. Keiser, | Allen, | 150 | |
| Thomas Kennard, | Clinton, | 42 | 52 |
| A. Kinney, | Vigo, | 71 | 71 |
| George W. Lane, | Dearborn, | 90 | 90 |
| N. Lichteberger, | Posey, | 200 | 200 |
| A. B. Linc, | Franklin, | 75 | 81 |
| S. Little, | Fayette, | | 60 |
| S. H. Lockwood, | Green, | | 80 |
| J. B. Lowe, | Monroe, | 52 | 52 |
| William Major, | Shelby, | 26 | 36 |
| George May, | Washington, | 100 | 113 |
| D. McConnell, | Benton, | 92 | 92 |
| P. McCormick, | Tippecanoe, | 72 | 75 |
| D. McDonald, | Adams, | 150 | |
| A. McDonald, | Lake, | 195 | 195 |

STATEMENT—Continued.

| <i>Members' names.</i> | <i>From what County.</i> | <i>Distance to county seat by the route traveled by public conveyance—miles.</i> | <i>Number of miles to which members are entitled, by the most usually traveled route to their residences</i> |
|------------------------|--------------------------|--|--|
| Wm. A. McKinzie, | Putnam, | 41 | 41 |
| Solomon Meredith, | Wayne, | 63 | 53 |
| W. Miller, | St. Joseph, | 143 | 150 |
| F. Mills, | Posey, | 200 | |
| A. A. Morrison, | Scott, | 106 | |
| S. Neal, | Boone, | 27 | 28 |
| H. H. Neff, | Randolph, | 100 | |
| Wm. H. Nimmons, | Noble, | 180 | 180 |
| J. H. Norris, | Johnson, | 20 | 30 |
| S. Orr, | Delaware, | 65 | 70 |
| M. H. Orton, | Laporte, | 150 | 150 |
| C. Parker, | Allen, | 150 | 150 |
| Hiram Prather, | Jennings, | 65 | 67 |
| Corydon Richmond, | Cass, &c., | | 66 |
| A. L. Roache, | Parke, | 60 | 60 |
| Wm. C. Robinson, | Rush, [Jay, | 40 | 52 |
| Morrison Rulon, | Blackford and | | 120 |
| E. Sackett, | Perry, | 150 | |
| S. W. Short, | Lawrence, | | 75 |
| J. J. Shryock, | Fulton, &c., | | 93 |
| Richard D. Slater, | Dearborn, | 90 | 90 |
| Thomas Smiley, | Tippecanoe, | 71 | 82 |
| S. B. Stanton, | Wayne, | 63 | 70 |
| A. Stone, | Randolph, | 100 | |
| J. M. Sullivan, | Clark, | 130 | 130 |
| Judge Swihart, | Whitney, | 134 | 150 |
| E. S. Terry, | Daviess, | | 153 |
| Thos. Thompson, | Carroll, | | 70 |
| G. W. Thompson, | Gibson, | 160 | |
| Wm. Tinbrook, | Parke, | 60 | 69 |
| Dr. J. Trimble, | Union, | 75 | 72 |
| J. P. Widney, | DeKalb, | 172 | 184 |
| J. D. Williams, | Knox, | | 152 |
| R. N. Williams, | Madison, | 45 | 45 |
| J. B. Winstandley, | Floyd, | 130 | 130 |
| B. Wolfe, | Sullivan, | | 121 |
| Wm. A. Porter, | Harrison, | 130 | 130 |

Mr. Hamilton, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them truly enrolled :

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers ;

No. 61. An act to authorize the trustees of school district number five, in township thirty-seven north, of range three east, in St. Joseph county, to levy a tax to finish a school house ;

No. 67. An act to incorporate the Attica and Warren County Bridge Company ;

No. 68. An act leaving it discretionary with the board of commissioners of Delaware county what compensation they shall allow supervisors of roads for making their returns ;

No. 71. An act to amend the 22d section of an act of the Revised Statutes, entitled "An act for the relief of the poor ;"

No. 75. An act relating to road tax in Perry county ;

No. 83. An act for the relief of James Hardin, of Warrick county ;

No. 277. An act to authorize the alteration of a certain road therein mentioned ;

No. 347. An act to vacate an alley in Cambridge City ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Jones of S., made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill No. 303, with certain instructions, have had the same under consideration, and have instructed me to report that they have made such amendments, which are herewith reported, and when so amended to recommend its passage.

The following are the amendments made by said committee :

Insert after the close of section 1 the following :

SEC. 2. The probate judge of the said county of Ripley shall hereafter receive for his services as such judge the sum of two dollars per day and no day.

Amend section 2 by striking out the figure 2 and inserting the figure 3.

Which was adopted.

No. 303. A bill to repeal a part of an act entitled "An act to change the time of holding the probate court in Ripley county ;

Which was considered as engrossed, and read a third time, the rules being suspended therefor, and passed, (as amended above.)

Ordered, That the Clerk inform the Senate thereof.

Mr. Orr made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House number forty-one, with instructions to make it a general law, have had the same under consideration, and a majority have directed me to report that it is inexpedient to make it general, and therefore report the accompanying amendment, and respectfully recommend its passage.

(Mr. Cookerly dissents from the opinion of the majority of the committee.)

Strike out all after the enacting clause and insert the following :

SEC. 1. That there shall be one assessor elected in each township by the qualified voters thereof in each of the following counties in this State at the expiration of the term for which the present incumbent was elected: in the counties of Delaware, Randolph, Green, Allen, Martin, and Dubois.

SEC. 2. Such assessor shall give the necessary bond before entering on the discharge of his duties, and shall hold his office for the time of two years, and until his successor is elected and qualified.

SEC. 3. Said assessors shall be governed in all respects by the law now prescribing the duties of county assessors, and as applicable to each township; *Except*, that they shall not make their return to the board doing county business until the third day of its June term.

SEC. 4. Such township assessors shall, for the time necessarily engaged in assessing and making out their returns, receive the sum of not less than one dollar nor more than one dollar and fifty cents per day, at the discretion of their respective county boards; but while acting as a part of the board of equalization they shall receive each the same *per diem* that the members of the county board receive.

SEC. 5. The law establishing the office of assessor in each of the above named counties, shall cease to exist at the expiration of the time for which the present incumbents were elected. And this act shall take effect and be in force from and after the same time.

The amendments of the committee were adopted.

No. 41. A bill for the electing of township assessors in the counties therein named ;

Which was considered as engrossed, and read a third time, the rules being suspended therefor, and passed, (as amended.)

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Miami county to repeal an act exempting improvements on real estate from taxation in the counties of Miami and Kosciusko, approved January 23, 1847, so far as the county of Miami is concerned, have had the subject under consideration, and have directed me to report the following bill, and to recommend its passage :

No. 405. A bill to repeal an act exempting improvements on real estate from taxation in the counties of Kosciusko and Miami, approved January 23, 1847, so far as the county of Miami is concerned ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamilton made the following report :

MR. SPEAKER :

The select committee to whom was referred a resolution of the House instructing them to report a bill substantially reviving the interest law of 1831, have performed that duty, and herewith report the following bill :

No. 406. A bill to amend article 3 of chapter 31 of the Revised Statutes of 1843 ;

Was read a first time and ordered to a second reading.

Mr. Harlan, chairman of a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of B. C. Hogan, Esq., and others, praying for the relief of settlers on the school lands in the "Great Miami Reserve," have had that subject under consideration, and direct me to report the following bill and recommend its passage :

No. 407. A bill for the relief of persons who have made improvements on school sections in the Miami Reserve ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Harlan, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of James Sweetser and thirty-one others, of the town of Marion, praying for the passage of a law levying a tax on the citizens of said town for a certain purpose therein named, have had that subject under consideration, and directed me to report the following bill and recommend its passage, viz :

No. 408. A bill levying a tax on the inhabitants of the town of Marion and its additions, for a certain purpose ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Harlan, chairman of a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petitions of B. F. Wallace and others, of the county of Grant, praying for an amendment to the act of the General Assembly of the State, entitled "An act to authorize the people of the several townships of the several counties to prohibit the retailing of Spirituous liquors," approved January 28, 1847, have had that subject under consideration, and directed me to report the following bill and recommend its passage, viz :

No. 409. A bill amendatory of an act, entitled "An act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847 ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Terry, on leave, introduced bill,

No. 410. A bill to amend an act, entitled "An act to reduce the salaries of the Governor of State and other officers ;"

Which was read a first and second times, the rules being suspended therefor ;

And the question being,

"Shall the bill pass?"

Messrs. Wolfe and Terry demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Blythe, Brown, Bryant, Chambers, Coble, Commons, Cov-

ington, Criswell, Davis, Frazer, Hankins, Harlan, Kinney, McDonald of Lake, Meredith, Robinson, Rulon, Stanton, Terry, Williams of Madison, and Mr. Speaker—21.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Bowling, Campbell, Carr, Cole, Dimmett, Dole, Dougherty, Ford, Fuller, Gooding, Gordon, Hall, Hamilton, Harding, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Keiser, Kennard, Lane, Lichteberger, Line, Lockwood, Lowe, Major, McConnell, McCormick, McDonald of Adams, McKinzie, Mills, Morrison, Neal, Nimmons, Parker, Roache, Short, Smiley, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Tinbrook, Trimby, Widney, Williams of Knox, Winstandley, and Wolfe—54.

So said bill did not pass.

Mr. Covington, on leave, introduced bill,

No. 411. A bill authorizing supervisors to work a certain road in Ohio county ;

Which was read three several times and passed, the rules being suspended therefor.

Ordered, That the Senate be informed thereof.

Mr. Cole made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of Miami county to compel keepers of stallions to procure a license, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 412. A bill to improve the breed of horses in Miami county ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

RESOLUTIONS.

On motion by Mr. Brown,

Resolved, That the committee on commerce and manufactures be, and they are, hereby, instructed to inquire what facilities the State of Indiana possesses for manufacturing purposes ; and whether any legislation is necessary to promote that branch of industry, and that they have leave to report by bill or otherwise ;

On motion by Mr. Harvey,

Resolved, That the committee on ways and means be instructed to report to this House in the specific appropriation bill an allowance to Abram Bird of ten dollars and fifty cents for shovels, tongs, and snuffers furnished the House at the last session of the Legislature.

On motion by Mr. Dole,

Resolved, That the committee of ways and means be instructed to allow the committee appointed by the common school convention to draft a bill for the improvement of common schools, and to present the same to the Governor and this General Assembly, the sum of three dollars for each day necessarily employed in that service, and that the said committee provide for the payment thereof, in the specific appropriation bill.

On motion by Mr. Hamilton,

Resolved, That the committee of ways and means be instructed to insert in the specific appropriation bill an allowance of \$7.50 in favor of William Sullivan, Esq., for services as justice of the peace before committees of this House at the last and present sessions of the legislature.

On motion by Mr. Bryant,

Resolved, That the committee of ways and means be directed to make provision in the specific appropriation bill for the payment of the members of the judiciary committee for their services during a part of the recess of the legislature, which compensation shall not be greater than their per diem allowance as members of the legislature.

On motion by Mr. McKinzie.

Resolved, That the committee on ways and means be instructed to inquire into the expediency of providing in the specific appropriation bill for an allowance to Alexander Dunnington for three days services as assistant door-keeper in organizing this House at its present session.

On motion by Mr. Roache,

Resolved, That the committee of ways and means be instructed in the specific appropriation bill to make an allowance to Samuel L. Crosby for ten days' services, to Andrew M. Carnahan for four days' services, Miles Gookins for two days' services, and to John Rea for four days' services, as clerks of the committee appointed by the State Common School Convention to prepare a bill on the subject of common schools, and to present the same to the Governor and the General Assembly, and that they allow said clerks three dollars per day.

On motion by Mr. Cookerly,

Resolved, That the committee on ways and means be instructed to report an allowance of twenty-five dollars for extra services of Stephen H. Taylor for going to Terre Haute and summoning witnesses to appear before the select committee appointed to investigate the conduct of the branch bank at that place.

On motion by Mr. Terry,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the penal laws of this State as to reduce the penalties in as many offences now indictable as they may deem expedient, to the sum of three dollars, so as to vest exclusive jurisdiction in justices of the peace, and that they report by bill or otherwise.

JOINT RESOLUTIONS INTRODUCED.

By Mr. Neal,

No. 414. A joint resolution in relation to the territories of New Mexico and California ;

Which was read the first time and ordered to a second reading.

By Mr. Harlan,

No. 415. A joint resolution in relation to volunteers who have settled upon government lands in the Great Miami Reserve ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

BILLS INTRODUCED.

By Mr. Sullivan,

No. 417. A bill for the benefit of the Jeffersonville and Albany Railroad Company ;

By Mr. Miller,

No. 416. A bill to vacate certain streets and alleys in New Carlisle in St. Joseph county ;

By Mr. Fuller,

No. 418. A bill making additional allowance to the Secretary of State ;

By Mr. May,

No. 419. A bill to extend the February term of the probate court of Washington county ;

By Mr. Bowling,

No. 420. A bill to repeal an act entitled an act to provide for a uniform mode of doing township business in Clay county ;

By Mr. Dole,

No. 421. A bill to incorporate the Clinton Iron Manufacturing Company :

By Mr. Frazer,

No. 425. A bill amendatory of an act establishing a free turn-pike road in the counties of Allen, Whitley, Kosciusko, and Wells ;

By Mr. Smiley,

No. 426. A bill for the incorporation of the York Guards ;

By Mr. Dole,

No. 427. A bill for the relief of Wm. A. Richardson and others.

By Mr. Roache,

No. 429. A bill declaring certain acts, therein named, in force;

By Mr. Williams, of Madison;

No. 430. A bill changing the name of Andersontown, in Madison county, to that of Anderson;

By Mr. Orr,

No. 431. A bill for the relief of Eleanor Leas:

By Mr. McKinzie,

No. 432. A bill to vacate an alley in the town of Greencastle;

By Mr. Harding,

No. 434. A bill regulating the width of county roads, in Marion county;

By Mr. Coble,

No. 436. A bill changing the name of the town of Alton, in Crawford county;

Which were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

By Mr. Harding,

No. 422. A bill in relation to that portion of the Northern division of the Central canal, which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county;

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Linc,

Referred to a select committee.

Messrs. Line, Meredith, and Wolfe. were appointed said committee.

By Mr. Terry,

No. 425. A bill to amend an act, entitled an act, to authorise the Superintendent of New Albany road, to erect bridges, and for other purposes.

Which was read a first and second times, the rules being suspended therefor, and referred to a select committee. of Messrs. Terry, Windstandley, and May.

By Mr. Williams, of Madison,

No. 424. A bill to exempt the property of blind and deaf and dumb persons from taxation ;

Which was read a first and second time, and referred to the committee on Benevolent Institutions.

By Mr. Orton,

No. 428. A bill to amend the 176th section, 13th chapter, of the Revised Statutes, of 1843 ;

Which was read a first and second times, the rules being suspended therefor, and

On motion by Mr. Prather,

Referred to the committee on education.

By Mr. Brown,

No. 433. A bill for the government of the Indiana Hospital for the Insane ;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on Benevolent and Scientific Institutions.

By Mr. Winstandley,

No. 435. A bill to repeal section 88th, of chapter 13th, of the Revised Statutes, of 1843, and defining the duties of county auditors, in loaning county seminary funds ;

Which was read a first and second times, the rules being suspended therefor, and referred to the judiciary committee.

By Mr. May,

No. 437. A bill to amend an act, entitled an act, to repeal the act, entitled an act to amend the 4th article of the 16th chapter of the Revised Statutes, of 1843, so far as the same relates to the county of Washington and Jackson, approved January 5th, 1844, so far as the same relates to the county of Washington ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Orr,

No. 438. A bill requiring the auditor to cause to be printed, the number of miles and the number of days claimed and allowed to each member of the General Assembly ;

Which was read a first time, and ordered to a second reading.

By Mr. Line,

No. 439. A bill to confer the authority of changing the names of persons, towns, and villages, upon the circuit court ;

Which was read a first and second times, the rules being suspended therefor, and referred to the judiciary committee.

On motion by Mr. Dobson,

The House adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, FEBRUARY 8th, 1848.

The House met.

On motion by Mr. Dimmett,
The reading of the Journal was dispensed with.

On leave granted, the following was presented :

By Mr. Dimmett,

Petition of Thomas Bundy, for a divorce.

On motion by Mr. Dimmett,

Was laid on the table.

Mr. De Bruler moved to suspend the rules, to take from the table bill, No. 207 ;

Which motion prevailed.

No. 207. A bill repealing so much of section 233, of chapter 30, of the Revised Statutes of 1843, as requires the probate court to set the time of sales of real estate, by executors and administrators ;

Which was considered as engrossed, and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted, the following was presented :

By Mr. Gooding,

Petition of sundry citizens of the town of Indianapolis, to release from the corporate limits of said town, a portion thereof; which was,

On motion by Mr. Gooding,

Referred to the committee on the affairs of the town of Indianapolis.

On leave granted, the following was presented :

By Mr. McDonald of Adams,

The remonstrance of John A. Dean and others, of the county of Wells, against the repeal of a certain law therein named ;

Which was,

On motion by Mr. McDonald of Adams,

Referred to a select committee of Messrs. McDonald of Adams, Harlan, and Swihart.

On leave granted, the following petition was presented,

By Mr. Dougherty,

Petition of Samuel Dunning and 143 other citizens of Owen county, for the passage of a law making it an indictable offence to erect mill dams or other obstructions across White river ;

Which was,

On motion by Mr. Dougherty,

Referred to the judiciary committee.

On leave granted,

Mr. Harvey introduced,

No. 441. A joint resolution in relation to a mail route from Bell-

ville, in Hendricks county, to Lebanon, in Boone county, in the State of Indiana ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Lockwood, from the committee on canals and internal improvements, made the following report :

MR. SPEAKER :

The committee on canals and internal improvements, to which was referred bill of the House No. 212, entitled " An act to authorize the board of commissioners of Madison county to use certain stone therein named," have had the same under consideration, and have instructed me to report the following bill as a substitute therefor and recommend its passage ;

Which was concurred in.

No. 212. An act authorizing Albert A. Siddall to sell certain stone in Madison county ;

Which was considered as engrossed, and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamilton made the following report from the committee on enrolled bills :

MR. SPEAKER :

The committee on enrolled bills have diligently compared the following enrolled with the engrossed bills, and report them herewith truly enrolled :

No. 13. An act to extend the time for the final payment for certain school lands in Miami county, and other purposes ;

No. 76. An act to amend an act entitled " An act to authorize the people of Fayette and other counties therein named to elect their seminary trustees ;"

No. 217. An act to abolish the office of school commissioner in the county of St. Joseph, and to transfer the duties of said office to the county treasurer ;

No. 279. An act to authorize John G. Johnson, of Owen county, to correct a mistake in a certain deed ;

No. 281. An act to change a certain State road therein named in the county of Jackson ;

No. 286. An act to locate a State road in the counties of Clay and Owen ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate for the signature of their President thereof.

On leave granted,

Mr. Terry, from the judiciary committee, made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred House bill No. 236, "An act amendatory of the laws now in force in relation to decedents' estates," with instructions to inquire into the expediency of so amending the same as to make the same a general law, have had the same under consideration, and have instructed me to report the same back with one amendment, and to recommend its passage.

The following is the amendment proposed by the committee :

Amend by striking out of lines two and three, in section 1st, the words, "citizens of the county of Knox, in this State, shall die," and insert in lieu thereof the words, "person of this State shall die intestate ;"

Which was adopted.

Said bill was considered as engrossed, and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamilton asked and obtained leave of absence for Mr. Robinson until the close of the session.

BILLS INTRODUCED.

By Mr. Gooding,

No. 440. A bill amendatory of an act to incorporate the town of Greenfield, in Hancock county, approved January 28, 1847;

By Mr. Harlan,

No. 444. A bill collecting into one the different acts fixing the times of holding courts in the 11th circuit and changing the time of holding the Tipton circuit court ;

By Mr. Major,

No. 445. A bill authorizing the State Librarian to procure a suitable book in which to record the names of the volunteers from the State of Indiana ;

By Mr. Sullivan,

No. 446. A bill to amend the Revised Statutes of 1843, chapter 25, article 2, and section 35 ;

Which were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Hall,

No. 442. A bill to repeal a part of an act entitled "An act to incorporate the Buffalo and Mississippi Railroad Company," approved February 6, 1835;

Which was read three several times, the rules being suspended therefor, and,

The question being, "shall the bill pass?"

It was decided in the negative.

By Mr. Orr,

No. 443. A bill to prohibit the removal of cases to the circuit court by *certiorari* in Delaware county ;

Which was read a first time and ordered to a second reading.

By Mr. Terry,

No. 447. A bill to amend an act entitled "An act to provide for the election of prosecuting attorneys in the several counties ;"

Which was read a first and second times, the rules being suspended therefor, when

Mr. Lowe moved to amend said bill as follows :

"The prosecuting attorneys of the several counties shall have authority to order, and clerks of circuit courts shall issue, *subpœnas* in vacation for witnesses to appear before the grand juries ;"

Which was adopted.

Mr. Brown moved to amend said bill as follows :

"That if any prosecuting attorney shall remove from or leave the State without the intention of returning, or shall have remained out of the State for the space of six months at one time, his office as such shall be deemed vacated, and a successor in said office shall be elected or appointed, as the case may require under the laws in force ;"

Which was adopted.

Mr. Orr moved to amend the bill as follows :

Insert in its proper place, "and such grand jury shall not entertain any voluntary cause of complaint whenever a bill may be found after the third day of its term."

Which was not adopted.

Mr. Orton moved to amend said bill as follows :

Amend in the proper place, "by requiring justices to recognize only those witnesses he deems material."

Which was adopted.

Said bill was considered as engrossed, and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Murphy, a Senator :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the following engrossed bills of the Senate, to-wit:

No. 111. An act to compel the trustees of the Wabash and Erie Canal to allow interest on canal land scrip;

No. 124. An act relative to the time of making reports to the legislature;

No. 132. An act for the benefit of Lawrenceburgh township in Dearborn county.

The following message was received from his Excellency the Governor by Mr. Sleeth his private secretary:

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives that he did on this day approve and sign House bill No. 221, entitled an act relative to the probate court of Monroe county.

February 8th, 1848.

The following message from the Senate by Mr. Robinson their Assistant Secretary:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives, that the President of the Senate has signed the following enrolled bill thereof:

No. 90. An act to incorporate the Ohio and Mississippi railroad company;

Whereupon the Speaker signed the same.

The following message was received from his Excellency the Governor by Mr. Sleeth his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives that he did on this day approve and sign the following bills to-wit:

No. 76. An act to amend an act entitled an act to authorize the people of Fayette and other counties therein named, to elect their seminary trustees;

No. 217. An act to abolish the office of school commissioner in the county of St. Joseph, and to transfer the duties of said office to the county treasurer;

No. 281. An act to change a certain State road therein named in the county of Jackson;

No. 286. An act to locate a State road in the counties of Clay and Owen;

All of which originated in the House of Representatives.

February 8th, 1848.

Mr. Gooding from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred bill No. 201, of the House, in reference to the call of a convention to change or amend the State constitution, have had the same under consideration and a majority of said committee have directed me to report the accompanying bill as a substitute for said bill, and recommend its passage:

Pending which,

The House resolved itself into a committee of the whole on bill, No. 56. A bill to provide for the improvement of common schools;

With Mr. Meredith in the chair;

And after some time spent therein, the committee arose, and the chairman reported that they had had the bill under consideration, and adopted sundry amendments, but were not enabled to come to any definite action on the matter before them, and respectfully requested leave to sit again at 2 o'clock P. M.

Which was granted by the House.

On motion by Mr. Little,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met.

The House then resolved itself into a committee of the whole on bill,

No. 56. A bill to provide for the improvement of common schools;

With Mr. Meredith in the chair;

And after some time spent thereon, the committee arose, and the chairman reported, that according to order they had had the same under consideration, and adopted sundry amendments in which they ask the concurrence of the House; and the committee ask leave to be discharged from the further consideration thereof:

Which request was granted by the House and the committee discharged.

The following are the amendments made by the committee of the whole House to bill No. 56 :

Amend section 2d in the 6th line, after the word "county" insert the words "township."

Amend section 6, in the 6th line strike out the words "loan and the interest thereof."

Section 7. Strike out the 7th section and insert the following :

"The moneys set apart from the receipts for license, and the interest arising from the surplus revenue, shall be denominated the "county common school fund," and shall be distributed according to the number of scholars within the county to which it belongs."

Strike out section 11, and insert as follows :

When any congressional township or school corporation shall have decided in favor of such tax, and shall have certified that fact to the county superintendent, said superintendent shall immediately certify the same to the county auditor, who shall make a record thereof with a list of the taxable property within the bounds of said township or school corporation, in a book kept for that purpose, and shall add the amount of said taxes to his duplicate in an opposite column, and the same shall be collected by the county treasurers as other revenues are collected.

Insert the following amendment at the end of the 5th line in the 13th section :

Provided, That the school authorities in each corporation, with the superintendent, may furnish the State superintendent with a list of books, maps, or articles of apparatus they wish to have procured, and said State superintendent where said list is so furnished, shall be governed and controlled thereby in making said purchases.

After the word "of" in line 7, insert "the county treasurer who shall inform and pay."

Sec. 15. Strike out the last three lines of this section.

Amend section 36. In the 16th line strike out the word "twice" and insert the word "once."

Amend section 39. In the 1st and 2d lines strike out the words "one thousand" and insert the words "eight hundred."

Amend section 42. In the 9th line strike out the word "township."

Amend section 43. In the 10th line strike out the word "three" and insert the words "at least two;" and at the end of the 16th line add the following :

Provided, That any district may, at a regular meeting, employ a teacher who is not capable of teaching Grammar and Geography ; and the county superintendent may, when in his judgment the condition of any district requires it, give a certificate under like circumstances.

Amend section 16. Insert in the 8th line, after "clerks," "of the proper townships."

Amend section 24. In the 8th line strike out the word "care" and insert the word "care."

Amend section 26. At the end of the 8th line insert, "And it shall be his duty annually to lay before the district a copy of his report to the county superintendent, with the amount of all money that he has drawn for his district, and the disbursement thereof, and shall receive for his services any sum not exceeding 75 cents per day for the time necessarily spent in the discharge of the duties of the office, except for making his annual report as provided in the 23d section of this act.

In 2d line, after the word "next," insert "after the taking effect of this act."

Amend section 27. After the word "court," in the 10th line, insert "and in the event of a vacancy the boards doing county business shall appoint a suitable person to fill said vacancy, who shall continue in office until the next General Assembly, and shall give bond to the State of Indiana in the penal sum of \$100, conditioned for the faithful performance of his duty, to be approved by the board of county commissioners and filed in the office of the county auditor."

Amend section 29. In the second line strike out the word "twice" and insert the word "once." And in the 7th line, after the word "deliver," add "or cause to be delivered."

Amend section 33. In the 2d line, after the word "and," strike out "one half."

Amend section 34. At the end of said section add, "And in the event of the death or resignation, or otherwise, of the State superintendent, the Governor of the State shall appoint a suitable person to fill said vacancy, who shall continue in office until the next general election and until his successor is elected and qualified."

Amend section 15. Add to the end of said section,

Provided, That nothing in this section, or in this act contained, shall be so construed as to authorize the State Board of Education, or any school officer, to introduce into any school any text or other books against the will of a majority of the persons sending scholars to such school.

Section 53. Stricken out.

Amend section 59. Strike out the words "of common schools."

Amend section 60. In the 2d line, after the word "several," insert the word "school," and after the word "commissioner" strike out the words "of common schools."

Amend section 64. In the first line strike out the word "April" and insert the word "August;" and in the 5th and 6th lines, add after the word "write" the words "or print."

Section 67. Strike out all after the word "then," in the 4th line, and insert "this act shall take effect and be in force from and after the issuing of such proclamation."

Section 68. Stricken out.

Which amendments were concurred in by the House.

Mr. Harvey moved to amend said bill by striking out the third section.

The question being,

"Shall the bill be so amended?"

The ayes and noes being demanded by Messrs. Harvey and Line,

Those who voted in the affirmative are,

Messrs. Blythe, Bowling, Brown, Campbell, Carr, Cole, Criswell, Dimmett, Dole, Dougherty, Ford, Frazer, Hall, Harvey, Holden, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McKinzie, Miller, Mills, Morrison, Nimmons, Norris, Orr, Parker, Roache, Rulon, Shryock, Stanton, Swihart, Thompson of Gibson, Tinbrook, Widney, Williams of Knox, Williams of Madison, Wolfe, and Mr. Speaker—48.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Bryant, Coble, Coffin, Commons, Fuller, Goodman, Hamilton, Hankins, Harding, Hetfield, Huddleston, Kinney, McDonald of Adams, Meredith, Neal, Prather, Richmond, Sackett, Short, Slater, Smiley, Terry, Thompson of Carroll, and Winstandley—27.

So said amendment was adopted.

Mr. Wolfe moved to amend said bill as follows:

Amend by adding to the 4th section, "And it shall not be lawful for any county treasurer in this State to charge more than one per cent. for collecting and disbursing the fund proposed to be raised by the provisions of this act.

Which was adopted.

Mr. Baldwin moved to amend said bill as follows:

Ameud 32d section, 6th line, by adding after the words "for the use of the," the words "common schools of the."

Which was adopted.

Mr. Hull offered the following amendment to said bill:

Amend by adding the following section—

SEC. —. No provisions, whatever, contained in this act, shall be so construed as in any event to deprive the several counties or townships of this State of any of the common schools funds, or any part of the same, now held by said counties and townships by virtue of any law of Congress or law of this State.

Mr. Neal moved the previous question,

Which was seconded.

The question being,

"Shall the main question be now put?"

It was decided in the affirmative.

And the main question being,

"Shall the bill be engrossed for a third reading?"

The ayes and noes being demanded by Messrs. Line and Hull:

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blythe, Bryant, Coffin, Cole, Commons, Criswell, Dimmett, Dobson, Dole, Frazer, Goodman, Gordon, Graham, Hankins, Harvey, Hetfield, Holden, Huddleston, Hunt, Jones of Switzerland, Keiser, Kennard, Kinney, Lane, Lichteberger, Little, Major, McConnell, McDonald of Adams, Meredith, Miller, Morrison, Norris, Parker, Prather, Richmond, Roache, Sackett, Shryock, Slater, Smiley, Stanton, Swihart, Terry, Thompson of Gibson, Tinbrook, Widney, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—52.

Those who voted in the negative are,

Messrs. Albin, Bowling, Brown, Campbell, Carr, Coble, Dougherty, Ford, Hall, Hamilton, Harding, Hull, Jones of Bartholomew, Line, Lockwood, Lowe, May, McCormick, McKinzie, Mills, Neal, Nimmons, Orr, Rulon, Short, Trimby, and Williams of Madison—27.

So the bill was ordered to be engrossed for a third reading.

The following message from the Senate was,

On motion by Mr. Meredith,

Taken up—

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 300. An act to increase the power of the county board in the county of Blackford ;

No. 302. An act making provision for the payment of the witnesses who attended before the judiciary committee of the Senate for the purpose of giving evidence relative to buying and selling canal land scrip and receiving the same without allowing full interest thereon by the trustees of the Wabash and Erie Canal, or their authorized agent ;

In which the concurrence of the House is respectfully requested.

No. 300. A bill to increase the power of the county board in the county of Blackford, (in said above message mentioned ;)

Which was read a first and second times and ordered to a third reading.

No. 302. A bill making provision for the payment of the witnesses who attended before the judiciary committee of the Senate, for the purpose of giving evidence relative to buying and selling canal land scrip, and the receiving the same without allowing full

interest thereon by the Trustees of the Wabash and Erie Canal, or their authorized agent, (in said above message mentioned ;)

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Bryant offered the following resolution :

Resolved, That the committee of ways and means be instructed to incorporate in the specific appropriation bill the sum of three hundred and sixty-two dollars and twenty-three cents, to be allowed to the Treasurer of State for improvement and repairs to the Treasurer's house and office, &c., per bills rendered to said committee ;

Which was adopted.

On leave granted,

Mr. Bryant also offered the following resolution :

Resolved, That the committee of ways and means be instructed to provide in the specific appropriation bill for the payment to William Lee of the sum of two dollars and fifty cents, paid by him for the transportation and freight of a bundle containing rules and regulations of State Prison, sent to him at Jeffersonville from Indianapolis ;

Which was adopted.

On leave granted,

Mr. Bryant also offered the following resolution :

Resolved, That the committee of ways and means be instructed to provide in the specific appropriation bill for the payment of the sum of ten dollars to John B. Dillon for preparing public documents and packing the same in boxes to be sent to France, and for preparing and forwarding laws of 1845 to the different States and Territories ;

Which was adopted.

On leave granted,

Mr. Bryant also introduced the following resolution :

Resolved, That the committee of ways and means be instructed to insert in the specific appropriation bill an allowance of three dollars per day to James M. Sleeth for each day he may have served as the Executive Messenger to the two branches of the General Assembly during its present session, to be computed and certified by the Governor.

On leave, Mr. Ford introduced,

No. 448. A joint resolution for a mail from Brownstown to Nashville by way of Salt Creek, in Jackson county, Indiana ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Miller moved to reconsider the vote on the passage of bill of the House,

No. 404. A bill making allowances to the Adjutant and Quartermaster-Generals for extra services ;

Which did not prevail.

On motion by Mr. Lane,

The House adjourned till to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, FEBRUARY 9, 1848.

The House met.

On motion by Mr. Terry,

The reading of the journal was dispensed with.

Mr. Terry asked and obtained leave of absence for Mr. Goodman from Saturday next until the close of the session.

Mr. Jones of S. moved to take up the adjourning resolution of the Senate, the consideration of which was heretofore postponed.

Mr. Terry moved a call of the House ;

Which was seconded.

After some time spent therein, Mr. Line moved to dispense with the further call of the House.

Which motion prevailed.

The question being,

"Shall the adjourning resolution be taken up?"

It was decided in the negative.

Mr. Hankins, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with engrossed bills, and find them correctly enrolled :

No. 221. An act relative to the probate court of Monroe county ;

No. 282. A act to locate a certain State road therein named from Hellonsville, in Lawrence county, through Brown and Jackson counties, to Columbus, in Bartholomew county ;

No. 283. An act to incorporate the Council Grove Minute Men ;

No. 288. A act to locate a State road in the counties of Allen and Wells ;

No. 33. A act to amend an act entitled an act to incorporate the

College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company, approved January 15th, 1844, and all other acts amendatory thereto.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, to-wit :

No. 85. An act to legalize a sale of real estate by Peter Navarre, jun. ;

No. 86. An act to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same ;

No. 90. An act to incorporate the South Bend Woolen and Cotton Manufacturing Company ;

No. 91. An act concerning the State Library ;

No. 92. An act fixing jurors' fees before justices' courts in the county of Delaware ;

No. 93. An act to amend an act entitled an act to authorize the people of the several townships of the several counties to prohibit the retail of spirituous liquors ;

No. 97. An act to incorporate the town of New London, Howard county ;

No. 102. An act to incorporate the Liberty and Brownsville Turnpike Company ;

No. 106. An act lopping off all extra allowances to the clerk and sheriff of Delaware county, as now allowed by the board of the same ;

No. 110. An act for the better securing of titles in Spencer and Dubois counties ;

No. 112. An act to amend an act regulating the mode of doing township business in the county of Elkhart ;

No. 113. An act authorizing the location of a State road in Posey county ;

No. 116. An act to regulate clerk's fees in the probate court of Jackson county ;

No. 117. An act relative to the charter of the city of Indianapolis ;

No. 119. An act to incorporate the Taylor Cotton Mill ;

No. 120. An act to incorporate the Perry Cotton Mill ;

- No. 121. An act to incorporate the Cannelton Glass Manufacturing Company ;
- No. 122. An act to incorporate the Cannelton Paper Mill ;
- No. 123. An act to incorporate the Ward Cotton Mill ;
- No. 124. An act to incorporate the Indiana Cotton Mill ;
- No. 125. An act to incorporate the Cannelton Cotton Mill ;
- No. 126. An act to incorporate the Cannelton Foundry ;
- No. 130. An act to legalize the acts of the president and trustees of the town of Rising Sun, State of Indiana ;
- No. 131. An act to change the name of Ebenezer Barker Twit-chill ;
- No. 132. An act for the relief of Mary H. Goodrich ;
- No. 134. An act to authorize the auditor and school commissioner of Miami county to make a deed to Jacob Brown ;
- No. 139. An act to amend an act entitled an act more effectually to enable the supervisors to open and keep in repair public highways ,
- No. 141. An act in relation to the tax duplicate of the county of Jefferson for the year 1847 ;
- No. 142. An act to incorporate the Centreville and Abington Turnpike Company ;
- No. 115. An act regulating the salary of the auditor of Putnam county ;
- No. 147. An act to incorporate the Madison, Lexington, and Brownstown Turnpike Company ;
- No. 149. An act for the relief of Charity Forden of Daviess county ;
- No. 157. An act to locate a State road in the county of Posey ;
- No. 242. An act to authorize John Secrest to build a mill-dam across the Mississinewa river in Grant county ;
- No. 244. An act to incorporate the Madison Hotel Company ;
- No. 264. An act declaring Scott Noel the successor in office as justice of the place of Robert M. Gilkerson ;
- No. 265. An act in relation to a certain State road in the county of Daviess ;
- No. 273. An act to provide for a county library in the county of Pulaski, and for other purposes.

BILLS INTRODUCED.

By Mr. Dobson,

No. 449. A bill making provision for the payment of witnesses; Which was read a first and second times, the rules being suspended therefor ;

Mr. Cookerly moved to amend by striking out the name of Mr. Gallety from the provisions of the bill.

Which motion did not prevail.

Said bill was then read a third time the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Brown,

No. 450. A bill amendatory of the charter of the city of Indianapolis ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Short,

No. 451. A bill to authorize A. & A. J. Helton to raise their mill dam ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed for a third reading.

By Mr. Stanton,

No. 452. A bill to amend the 4th section, article 1, chapter 6, of Revised Statutes of 1843 ;

By Mr. McDonald of Lake,

No. 453. A bill to revive the act entitled, "An act to authorize certain individuals therein named, to build a bridge across the Kankakee river at the Sherwood ferry in Porter county," approved February 15, 1840 ;

By Mr. Meredith,

No. 454. A bill to incorporate the College Corner and Cambridge city railroad company ;

By Mr. Williams of Madison,

No. 455. A bill to legalize a certain act of the board of commissioners of Madison county ;

By Mr. Lowe,

No. 456. A bill to amend an act to provide for the election of prosecuting attorneys by the people, approved January 28, 1847 ;

By Mr. Lowe,

No. 457. A bill giving further time to the widow of David Browning deceased, and the creditor of the estate of said decedent to file claims against said estate ;

Which were each severally read three several times, the rules being suspended therefor, and passed ;

Ordered, That the Clerk inform the Senate thereof.

By Mr. Kennard,

No. 458. A bill providing for free homesteads ;

Which was read a first time and ordered to a second reading.

By Mr. Cole,

No. 459. A bill to incorporate the Peru and Wabash free bridge company ;

Said bill was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Terry,

No. 460. A bill to authorize certain voters of Daviess county to vote in Washington township in said county ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed for a third reading;

By Mr. Baldwin,

No. 461. A bill to incorporate the Henry county turnpike company, which was read a first and second times, the rules being suspended therefor;

Mr. Coffin moved to amend said bill as follows:

SEC. —. *Provided however,* That nothing in this act contained shall be so construed as to authorize the board of county commissioners to levy a tax for the purpose of constructing said road;

Which was adopted; and said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Orton,

No. 462. A bill attaching Crawford county to the 2d judicial circuit; Which was read a first and second times, the rules being suspended therefor, when,

Mr. Winstandley moved to indefinitely postpone said bill;

Which motion prevailed.

By Mr. Thompson of Carroll,

No. 463. A bill to confirm to Mary Williams the sale of a lot in Pittsburgh;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. Shryock,

No. 464. A bill to compel merchants to pay an additional tax; Which was read a first and second times, the rules being suspended therefor, and,

Mr. Wolfe moved to indefinitely postpone said bill;

Which motion prevailed.

On motion by Mr. Terry,

No. 346. A bill to change the mode of doing probate business, and for other purposes;

Was made the order of the day for to-day at 2 o'clock P. M.

By Mr. Cole,

No. 465. A bill to legalize the incorporation of the Mount Hope Cemetary near Peru, and for other purposes;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Jones of Switzerland, moved to suspend the rules to take from the table House bill,

No. 70. A bill authorizing the Madison and Indianapolis railroad company to take stock in other companies, and for other purposes;

The question being "shall the rules be suspended?"

The ayes and noes being demanded by Messrs. Hull and Williams of Madison;

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Bowling, Bryant, Carr, Coble, Coffin, Cole, Commons, Cookerly, Davis, Dobson, Dole, Dougherty, Doyle, Ford, Frazer, Hamilton, Hankins, Harding, Harvey, Hetfield, Hull, Jones of B., Jones of S., Kennard, Kinney, Lane, Little, Lockwood, Lowe, May, McCormick, Meredith, Miller, Mills, Morrison, Nimmons, Norris, Orr, Orton, Parker, Prather, Richmond, Roache, Short, Shryock, Stanton, Sullivan, Swihart, Thompson of C., Williams, of K., Williams of M., Winstandley, Wolfe and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. De Bruler, Dimmett, Goodman, Harlan, Holden, Huddleston, Keiser, Lichteberger, Major, McConnell, McDonald of L., McKinzie, Neal, Rulon, Sackett, Slater,—18.

So the rules were suspended and said bill taken from the table and put upon the files of the House.

On motion by Mr. Miller,

The rules were suspended, and,

The following message, which was received from the Senate by Mr. Test, their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof; to-wit :

No. 228. A bill to incorporate the Lake Michigan, Logansport, and Ohio river Railroad Company ;

In which the concurrence of the House is respectfully requested.

And said bill, in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

By Mr. McKinzie,

No. 466. A bill amendatory to an act therein named ;

Which was read a first time and ordered to a second reading.

On motion by Mr. Harlan,

The following message from the Senate, by Mr. Randall, a Senator, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bill of the House with amendments, to-wit :

No. 358. An act for the payment of certain moneys to Justus C. Alvord and Homer King, and for other purposes;

In which amendments the concurrence of the House is respectfully requested.

And the House concurred in said amendments, in said message mentioned.

By Mr. Roache,

No. 467. A bill to amend section 165, chapter 12, of the Revised Statutes ;

Which was read a first time and ordered to a second reading.

ORDERS OF THE DAY.

House bills on third reading.

No. 56. A bill to provide for the improvement of common schools ;

Which was read a third time, when,

Mr. Hull moved to recommit said bill, with the following instructions :

Add to the bill the following—

SEC. —, No provision, whatever, contained in this act, shall be so construed as in any event to deprive the several counties or townships of this State of any of the common school funds, or any part of the same, now held by said counties and townships by virtue of any law of Congress or of this State.

Pending which,

Mr. Meredith moved the previous question ;

Which was seconded by the House.

The question being,

“ Shall the main question be now put ? ”

It was decided in the affirmative.

The main question being,

“ Shall the bill pass ? ”

The ayes and noes being demanded by Messrs. Hull and Line ;
Mr. Dunham was excused from voting.

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Bryant, Coffin, Cole, Commons, Cookerly, Criswell, Davis, Dimmett, Dobson, Dole, Doyle, Frazer, Goodman, Gordon, Hankins, Harlan, Harvey, Holden, Huddleston, Hunt, Keiser, Kennard, Kinney, Lane, Lichteberger, Little, Major, McConnell, McDonald of Adams, Meredith, Miller, Morrison, Norris, Orton, Parker, Prather, Richmond, Roache, Sackett, Shryock, Slater,

Smiley, Stanton, Sullivan, Swihart, Terry, Thompson of C., Tinbrook, Widney, Williams of Knox, Winstandley, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Bowling, Brown, Carr, Coble, De Bruler, Dougherty, Ford, Fuller, Graham, Hall, Hamilton, Harding, Hetfield, Hull, Jones of B., Line, Lockwood, Lowe, May, McDonald of L., McKinzie, Mills, Neal, Nimmons, Orr, Rulon, Short, Trimble, Williams of M., and Wolfe—32.

So said bill passed.

The following message was received from His Excellency, the Governor, by Mr. Sleeth, his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did, on this day, approve and sign bill No. 33, entitled "An act to amend an act, entitled 'An act to incorporate the College Corner and Liberty Turnpike Company, and the Liberty and Abbington Turnpike Company,'" approved January 15th, 1844, and all other acts amendatory thereto, which originated in the House of Representatives.

February 9th, 1848.

Mr. Holden moved to suspend the rules to take from the table Senate bill,

No. 152. A bill to amend an act, entitled "An act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847 ;

Which motion prevailed.

And said bill was taken from the table and placed upon the files of the House.

No. 83. A bill (House) to incorporate the Evansville, Vincennes, and Terre Haute Railroad Company ;

Which was read a third time, when

Mr. Terry moved a call of the House ;

Which was seconded.

After some time spent therein,

On motion by Mr. Harvey,

The further call of the House was dispensed with.

The question being,

"Shall the bill pass?"

The ayes and noes being demanded by Messrs. Terry and Wolfe,

Those who voted in the affirmative are,

Messrs. Armstrong, Blythe, Carr, Cookerly, Criswell, Doyle, Ford, Hall, Harlan, Hetfield, Hunt, Jones of Bartholomew, Kennard, Kinney, Lane, Line, Major, McConnell, McDonald of Adams, McDonald of Lake, Neal, Smiley, Stanton, Sullivan, Swihart, Thompson of Carroll, Trimble, Williams of Knox, Williams of Madison, Winstandley, Wolfe, and Mr. Speaker—33.

Those who voted in the negative are,

Messrs. Bryant, Coble, Coffin, Cole, Commons, Davis, De Bruler, Dimmett, Dobson, Dole, Dougherty, Frazer, Fuller, Gordon, Graham, Hankins, Harvey, Huddleston, Jones of Switzerland, Lichtberger, Little, Lockwood, May, McCormick, McKinzie, Meredith, Miller, Mills, Morrison, Nimmons, Norris, Orr, Orton, Parker, Prather, Roache, Sackett, Short, Slater, Terry, and Tinbrook—41.

So said bill was lost on its passage.

Mr. Campbell being called on refused to vote.

On motion by Mr. Harvey,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met.

On motion by Mr. Parker,

Mr. Widney obtained leave of absence for the remainder of the session.

Mr. Orr, moved to take from the table, and place on the files, No. 77. A bill to amend the Estray laws;

Which motion prevailed.

On motion by Mr. Lane,

House bill,

No. 285. A bill repealing the law in certain counties, authorizing the Clerks to receive pay for extra services, and explanatory of the present law with regard to costs in State cases;

Was taken from the table and placed upon the files of the House.

On motion by Mr. Williams, of Knox,

No. 87. A bill (of the Senate) changing the time of holding courts, in the county of Knox;

Was taken from the table, and placed upon the files of the House.

On leave granted,
Mr. Hunt, from the committee on Scientific and Benevolent Institutions, made the following report :

MR. SPEAKER :

The committee on Benevolent and Scientific Institutions, to whom was referred bill of the House, No. 433, entitled "a bill for the government of the Indiana Hospital for the Insane," have had the same under consideration, and directed me to report the same to this House, with two amendments, and recommend its passage, as amended.

The following are the amendments proposed by the committee :

1st. Strike out the words, "to be appointed by the Governor," in the 3d and 4th lines of the 1st section, and insert in lieu thereof,

"To be elected by joint *viva voce* vote, of the General Assembly."

2d. Insert in the 8th line, 1st section, after the word "Governor," the following :

"To serve until the next session of the General Assembly ;"

Which were concurred in by the House,

And said bill was considered as engrossed, and read a third time. the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. McDonald, of Adams, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition and remonstrance, of a large number of citizens of the county of Wells, on the subject of repealing a certain road law, therein named, have had the same under consideration, and in as much as the number of remonstrators, is about equal to those petitioning, which leaves your committee in a state of doubts, and not having within their knowledge, the wants of the people of said county, have directed me to report the following bill, and recommend its passage, viz.:

No. 468. A bill extending the provisions of an act, therein named, to the county of Wells ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

MR. SPEAKER :

The committee on enrolled bills, have carefully compared the fol-

lowing enrolled, with the engrossed bill of the House, and find the same correctly enrolled, viz :

No. 117. An act relative the charter of the city of Indianapolis ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate, for the signature of the President thereof.

A message from his Excellency, the Governor, by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by the Governor, to inform the House of Representatives, that he did, on this day, approve and sign bill, No. 117, entitled " An act, relative to the charter of the city of Indianapolis, which originated in the House of Representatives, February 9th, 1848.

Mr. Harlan, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the enrolled with the engrossed bill of the House ;

No. 358. An act providing for the payment of certain moneys to Justus C. Alvord and Homer King, and for other purposes, and find the same correctly enrolled ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate, for the signature of the President.

The following message was received from his Excellency, the Governor, by Mr. Sleeth, his private secretary.

MR. SPEAKER :

I am directed by the Governor, to inform the House of Representatives, that he did on this day, approve and sign bill, No. 10, entitled " An act, to change the time of holding the probate court, in the county of Daviess, which originated in the House of Representatives, February 9th, 1848.

No. 346. A bill to change the mode of doing probate business and for other purposes ;

Which was made the special order of the day, for 2 o'clock, to-day.

Was read a second time.

Mr. Frazer moved to strike out the first section of said bill, Pending which,

Mr. Ford moved to lay said bill on the table.

The ayes and noes being demanded by Messrs. Orton and Cookerly,

Those who voted in the affirmative are,

Messrs. Bowling, Campbell, Carr, Coble, Coffin, Commons, Criswell, DeBruler, Dole, Dougherty, Doyle, Ford, Fuller, Goodman, Gordon, Hall, Hamilton, Hankins, Harding, Hetfield, Hull, Keiser, Lane, Line, Little, Lockwood, Major, McConnell, McCormick, Meredith, Mills, Morrison, Nimmons, Norris, Orr, Prather, Sackett, Slater, Smiley, Stanton, Swihart, Thompson of Carroll, Thompson of Gibson, and Trimble—44.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Cole, Cookerly, Davis, Dimmett, Dobson, Frazer, Graham, Harlan, Harvey, Holden, Huddleston, Hunt, Jones of Bartholomew, Kennard, Kinney, Lowe, May, McDonald of Adams, McKinzie, Miller, Neal, Orton, Parker, Richmond, Roache, Rulon, Short, Shryock, Terry, Tinbrook, Williams of Knox, Williams of Madison, Wolfe, and Mr. Speaker—39.

So said bill was laid on the table.

On motion by Mr. Cookerly,

The following message from the Senate by Mr. Robinson, their assistant Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following resolution :

Resolved, That the Senate will, the House concurring therein, adjourn *sine die* on Monday the 14th of February.

Mr. Lane moved to amend said resolution by striking out "Monday the 14th," and insert "Wednesday the 16th."

Mr. Neal moved the previous question ;

Which was seconded.

The question being, "shall the main question be now put?"

It was decided in the negative.

So said resolution was laid over until to-morrow.

Mr. Lane moved to reconsider the vote on laying on the table House bill,

No. 346. A bill to change the mode of doing probate business, and for other purposes.

The question being, "shall the vote be reconsidered?"

The ayes and noes being demanded by Messrs. Dougherty and Slater,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Brown, Bryant, Campbell, Coffin, Cole, Cookerly, Davis, Dimmett, Dobson, Dunham, Ford, Frazer, Goodman, Graham, Harlan, Harvey, Holden, Huddleston, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Lowe, May, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Orton, Parker, Prather, Richmond, Roache, Rulon, Sackett, Short, Shryock, Sullivan, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Madison, Wolfe, and Mr. Speaker—53.

Those who voted in the negative are,

Messrs.—Bowling, Carr, Commons, Criswell, DeBruler, Dole, Dougherty, Doyle, Fuller, Gordon, Hall, Hetfield, Keiser, Line, Little, Lockwood, Major, McConnell, McCormick, Mills, Morrison, Neal, Nimmons, Norris, Orr, Slater, Smiley, Stanton, Swihart, Trimble, Williams of Knox, and Winstandley—32.

So said vote was reconsidered, and said bill taken from the table; whereupon,

Mr. Ford moved to lay said bill on the table;

Which motion did not prevail.

The question then recurring on the amendment to strike out the 1st section of said bill, when

Said amendment was withdrawn.

Mr. Brown moved to amend said bill by striking out all after the enacting clause, and inserting a new bill:

No. 346. A bill to change the mode of doing probate business, and for other purposes.

Mr. Kinney moved to amend the amendment as follows:

Strike out the 5th section and insert:—"That the people of each judicial circuit shall elect at their general election a probate judge who shall serve seven years."

Mr. Short moved to lay the amendment, and the amendment to be amended on the table;

Which motion did not prevail.

The question being, "shall the amendment to the amendment be adopted?"

It was decided in the affirmative.

Mr. Frazer moved to amend the amendment by "striking out the 19th section ;"

Which was adopted.

Mr. Cookerly moved to amend the amendment as follows :

Amend at the proper place — "At the next general election after the taking effect of this act ;"

Pending which,

Mr. McDonald, of Switzerland, moved to indefinitely postpone the amendment and the amendments to the amendment.

The question being, "shall the amendment and the amendments to the amendment be indefinitely postponed?"

The ayes and noes being demanded by Messrs. McDonald, of Lake, and Neal,

Those who voted in the affirmative are,

Messrs. Bowling, Campbell, Carr, Commons, Davis, Dole, Dougherty, Ford, Fuller, Gordon, Hankins, Harding, Hetfield, Hall, Lichteberger, Line, Little, Lockwood, Lowe, Major, May, McConnell, McCormick, Mills, Nimmons, Norris, Orr, Prather, Slater, Smiley, Sullivan, Swihart, Thompson of Gibson, Tinbrook, Trimby, Widney, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—40.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Brown, Bryant, Coffin, Cole, Cookerly, Criswell, Dimmett, Dobson, Doyle, Dunham, Frazer, Goodman, Graham, Harlan, Harvey, Holden, Huddleston, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Neal, Orton, Parker, Richmond, Roache, Rulon, Sackett, Short, Stanton, Terry, and Williams of Madison—34 ⁴³

So said amendment and amendments thereto were not indefinitely postponed.

On motion by Mr. Kinney,

The further consideration of said amendment and amendments thereto, was postponed until to-morrow at 2 o'clock.

On leave granted,

Mr. Hull read the following letter :

MADISON, INDIANA.

HON. F. HULL :

Dear Sir — Your kind favor of the 1st inst., (by the politeness of Hon. J. G. Marshall) has just come to hand, and I hasten to reply.

Nothing could afford me greater satisfaction than to be an eye witness of the presentation of that old flag to your honorable body, but circumstances will prevent me from coming out to Indianapc-

lis; therefore, in behalf of the 3d Regiment of Indiana, I consign their old flag to your care, believing that whatever honors may be bestowed upon it by your honorable Assembly, will be gratefully acknowledged by all those who so gallantly defended it upon the heights of Buena Vista.

That tattered old flag is a dear relic to me, for I have stood beneath it while it waved triumphantly over the vanquished enemies of my country,—my life, and the lives of my fellow-soldiers, have been jeopardized to protect it, but I cannot any way better describe my feelings than to repeat the words of my gallant old friend, Mac Eron: * —“Beautiful flag,” said he, “gift of beauty to honor!—torn art thou by the tempest—bleached by the sun and sleet—but dishonored, never! never! Still shall thy remains flutter over us—a beacon of glory to thy defenders—a meteor of dismay and death to their enemies.” It is glory enough for me, friend Hull, to know that I have been the bearer of my country's banner in the ranks of the 3d Indiana at Buena Vista. Wishing that you may pursue whatever course you may think proper in presenting the flag—with feelings of gratitude I subscribe myself your sincere friend,

(Signed.)

W. F. STEWART,

Ensign late 3d Regiment Indiana Volunteers.

Which,

On motion by Mr. Cookerly,

Was ordered to be placed upon the journals.

On leave granted,

Mr. Hull offered the following resolution:

Resolved, That this House will, on Saturday next, at 2 o'clock P. M., suspend all ordinary business for the purpose of receiving the colors borne by the late Third Indiana Regiment in the memorable battle of Buena Vista, to be presented to the State by Captain Thomas L. Sullivan, in behalf of that gallant Regiment; and that the Senate and officers of State be invited to attend in this hall on that occasion.

Resolved, That the Speaker of this House is hereby requested, in behalf of the State, to receive the colors above alluded to.

Which was adopted.

On leave granted,

Mr. Brown made the following report:

MR. SPEAKER:

The committee on benevolent and scientific institutions, to whom was referred bill of the House No. 424, entitled “A bill to exempt

Note by Mr. Hull.—*The brave Donald Cameron, of Capt. T. L. Sullivan's company 3d Indiana Regiment Volunteers—a native of Scotland—a true patriot—and as gallant as any of the old clan of Camerons.

the property of blind, and deaf and dumb persons from taxation," have had the same under consideration, and directed me to report the same to this House without amendment, and recommend its passage.

Said bill was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Winstandley made the following report :

MR. SPEAKER :

The committee on education, to whom was referred bill No. 234 of the House, entitled "An act to require the trustees of the Indiana University to report to the General Assembly," have had the same under consideration, and directed me to report the same back without amendment, and respectfully recommend its passage.

Said bill was considered as engrossed, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Jones of S., on leave granted, offered the following resolution, which was adopted :

Resolved, That all claims to be inserted in the special appropriation bill of the present session, instead of being presented to this House separately and before such insertion, be presented to the committee on claims, and audited by such committee, and certified by the chairman thereof to the committee of ways and means : *Provided*, That if such committee refuse to allow any claim it may be thereafter presented to this House by petition, resolution, or bill.

Mr. Kinney, on leave, made the following report :

MR. SPEAKER :

The committee on education, to which was referred bill No. 428, have had the same under consideration, and have instructed me to report it back to the House and recommend its passage, with the following amendment, to wit :

At the end of the first section add, "Unless the inhabitants of such township shall otherwise decide."

Which amendment was concurred in by the House,

And the bill, as amended, was considered as engrossed, the rules being suspended therefor, read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harvey, on leave, made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate No. 240, together with the petition and remonstrance for and against the same, have had the subject under consideration, and instructed me to report the same back to the House without amendment, and recommend the passage of said bill. And said committee ask to be discharged from the further consideration of the subject.

Mr. Smiley moved that said bill,
No. 240. A bill to incorporate the Tippecanoe Bridge Company;
Be laid on the table.

Which motion did not prevail.

The rules were suspended, the bill read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Brown, on leave, introduced

No. 469. A joint resolution in relation to the Education Society of Indiana ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Terry, on leave, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred bill No. 226 of the House, entitled "An act in relation to constables," have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

On motion by Mr. Wolfe,

Said bill was amended by striking out Sullivan county.

The bill was then considered as engrossed, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On leave,

Mr. Parker introduced

No. 470. A bill to legalize the sale of certain land ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Terry, on leave, made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill No. 376, entitled a bill authorizing the clerk of the probate court to issue a *capias ad respondendum* against executors, administrators, or guardians, in certain cases, have had the same under consideration and have directed me to report the same back and recommend that it be indefinitely postponed, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in, and said bill was indefinitely postponed
Mr. Prather made the following report :

MR. SPEAKER :

The committee of ways and means, to which was referred bill of the House No. 229, have had the same under consideration, and have directed me to report it back to the House and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof, in which we ask the concurrence of the House.

Which report was concurred in, and said bill indefinitely postponed.

Mr. Bryant made the following report :

MR. SPEAKER :

The select committee to which was referred the petition of sundry citizens of the county of Fountain, praying a relocation of a certain State road in the said county, have had the same under consideration and instructed me to report the accompanying bill and recommend its passage ; all of which is most respectfully submitted :

No. 471. A bill to locate a State road in Fountain county ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On leave granted,

Mr. Bryant offered the following resolution :

Resolved, That the committee on ways and means be instructed to inquire into what amount of bonds were issued on account of the State bank, and upon what amount the State bank pays interest, and

by what authority the sum of one million and twenty-two thousand dollars in bonds, issued solely on account of the State bank, was transferred to the internal improvement fund, and that said committee report to this House at as an early a day as possible ;

Which was adopted.

On leave granted,

Mr. Miller offered the following resolution :

Resolved, That when this House adjourn we adjourn to meet at half past eight o'clock, A. M., each day during the remainder of the present session ;

Which was not adopted.

On motion by Mr. Ford,

The House adjourned until to-morrow morning, 9 o'clock.

THURSDAY MORNING FEBRUARY 10, 1843.

The House met.

Mr. Cookerly asked and obtained leave of absence for Mr. Coffin for the remainder of the session.

Mr. Rulon asked and obtained leave of absence for Mr. Slater from Saturday next until the close of the session.

On leave granted,

Mr. Meredith, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill No. 276, have had the same under consideration, and directed me to report it back to the House and recommend its passage, and the committee asks to be discharged from the further consideration of the subject. Mr. Frazer dissents from the report :

No. 276. A bill to amend the 5th and 6th sections of the 1st article of 55th chapter of the Revised Statutes of 1843, regulating the jurisdiction of the justices of the peace in criminal cases ;

Which was read a second time and ordered to be engrossed for a third reading.

Mr. Nimmons, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills report that they have compared the following enrolled with the engrossed bills of the House, and find the enrollment thereof correctly made :

No. 91. An act concerning the State Library ;

No. 92. An act fixing jurors' fees before justices' courts in the county of Delaware ;

No. 93. An act to amend an act entitled an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors ;

No. 97. An act to incorporate the town of New London, Howard county ;

No. 102. An act to incorporate the Liberty and Brownsville Turnpike Company ;

No. 106. An act lopping off all the extra allowance to the clerk and sheriff of Delaware county as now allowed by the board of the same ;

No. 110. An act for the better securing of titles in Spencer and Dubois counties ;

No. 112. An act to amend an act regulating the mode of doing township business in the county of Elkhart ;

No. 116. An act to regulate clerk's fees in the probate court in Jackson county ;

No. 119. An act to incorporate the Taylor Cotton Mills ;

No. 120. An act to incorporate the Perry Cotton Mills ;

No. 121. An act to incorporate the Cannelton Glass Manufacturing Company ;

No. 122. An act to incorporate the Cannelton Paper Mill ;

No. 123. An act to incorporate the Ward Cotton Mill ;

No. 124. An act to incorporate the Indiana Cotton Mill ;

No. 125. An act to incorporate the Cannelton Cotton Mill ;

No. 126. An act to incorporate the Cannelton Foundry ;

No. 144. An act to incorporate the Madison Hotel Company ;

No. 264. An act declaring Scott Noel the successor in office, as justice of the peace, of Robert M. Gilkerson ;

No. 265. An act in relation to a certain State road in the county of Daviess ;

No. 273. An act to provide for a county library in the county of Pulaski, and for other purposes ;

Whereupon the Speaker signed the same.

Ordered, That the clerk take the same to the Senate for the signature of the President thereof.

ORDERS OF THE DAY.

Bills on third reading.

No. 99. A bill in regard to the bonds of county officers ;

No. 213. A bill to amend the 28th chapter of the Revised Code of 1843, relative to the acknowledgment of deeds and other instruments in writing ;

No. 226. A bill relative to constables ;

Were each severally read a third time and passed.

Ordered, That the Clerk inform the House thereof.

No. 241. A bill to amend article 5, chapter 45 of Revised Code of 1843 ;

Which was read a third time.

The question then being, "shall the bill pass?"

The ayes and noes being demanded by Messrs. Orr and Winstandley ;

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Coble, Coffin, Cole, Common, Cookerly, Criswell, De Bruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Frazer, Goodman, Gordon, Graham, Hall, Hamilton, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Jones of Bartholomew, Kennard, Kinney, Lane, Lichteberger, Lockwood, Lowe, McConnell, McCormick McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Norris, Orton, Parker, Prather, Richmond, Rulon Sackett, Short, Shryock, Slater, Smiley, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Williams of Madison, and Mr. Speaker—66.

Those who voted in the negative are,

Messrs. Carr, Ford, Harlan, Holden, Jones of Switzerland, Line, Little, Major, Nimmons, Orr, Winstandley and Wolfe—12.

So said bill passed.

No. 304. A bill to repeal a certain act therein named ;

No. 308. A bill for the relief of Thomas M. Gibson, and others ;

No. 428. A bill to amend the 176th section, 13th chapter of the Revised Statutes of 1843 ;

No. 460. A bill to authorize certain voters of Daviess county to vote in Washington township in said county ;

Which were each severally read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Test their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment, to-wit :

No. 34. An act to change the mode of electing county commissioners in the county of Pike :

No. 55. An act for the relief of Collins Adams of St. Joseph county ;

No. 107. An act in relation to the taking of the list of children in the county of Perry for school purposes ;

No. 114. An act to authorize the inspection of hay in the several counties of this State ;

No. 128. An act granting to the citizens of the town of Aurora in the county of Dearborn, a city charter :

No. 211. An act to authorize the board of Madison county to do a certain act ;

No. 218. An act to amend an act entitled an act to incorporate the Lawrenceburgh and Rushville turnpike company, approved January 19, 1846 :

No. 223. An act to amend an act entitled an act to provide for the construction of a railroad from Martinsville in Morgan county to Franklin in Johnson county, approved January 20, 1846 :

No. 290. An act to incorporate the Harrison, New Trenton, Rochester and Brookville turnpike company ;

No. 292. An act to relocate a part of the Richmond and Logansport State road in the county of Delaware ;

No. 293. An act to locate a State road therein named ;

No. 294. An act to locate a State road in Allen and De Kalb counties ;

No. 295. An act regulating the sale of spirituous liquors in the town of Centreville in Wayne county ;

No. 296. An act to authorize the board of commissioners to lease the seminary in the county of Wayne Indiana ;

No. 297. An act to incorporate the town of Clinton in Vermilion county ;

No. 298. A joint resolution of sympathy with Pope Pius the ninth for his efforts in behalf of liberal reform in his dominions ;

No. 301. An act to incorporate the Cambridge and Milton turnpike company ;

No. 306. An act to legalize the acts of the probate judge of Lagrange county ;

No. 307. An act concerning the duties of clerks of the circuit courts in this State ;

No. 309. An act defining the duties of the county treasurer of Shelby county ;

No. 311. An act providing for the procuring of additional copies of the Revised Statutes of 1843, in the county of Kosciusko ;

No. 312. An act in relation to the duties of Auditor of State and commissioners of the sinking fund ;

No. 317. An act in reference to the fees of the clerk of Sullivan county ;

No. 318. An act for the relief of Dempsey Linton of Randolph county ;

No. 321. An act to authorize the board of commissioners of the county of Grant to order an election for an additional justice of the peace in Centre township, and for other purposes ;

No. 322. An act authorizing the board doing county business in the county of Dubois, to levy or dispense with a road tax at their discretion ;

No. 225. An act for the relief of Lydia Aldrich ;

No. 326. An act to amend the 76th section of chapter 15, article 3, of the Revised Statutes of 1843 ;

No. 329. An act for the relief of purchasers of school lands in the counties of Carroll and Clinton ;

No. 332. An act to provide for the survey and record of roads in Elkhart county ;

No. 333. An act to authorize the sale of the library of Decatur county ;

No. 335. An act to extend the provisions of a certain act therein named, to the counties of Jay and Blackford ;

No. 340. An act declaring George W. Bowen successor in office to William Dehority ;

No. 344. An act for the more speedy completion of a portion of the Indiana Hospital for the Insane ;

No. 350. An act forming Sec. 4, 5, 6, 7, 8, 9, 16, 17, and 18, in town 14 north, range 1 east, in one school district ;

No. 352. An act to incorporate the Lafayette, Monticello, and Michigan City railroad company ;

No. 356. A joint resolution relative to the Indiana Historical Society ;

No. 357. A joint resolution on the subject of the laws of Indiana Territory for the years 1801, 1802, 1803, and 1804 ;

No. 359. An act to establish an additional place of holding elections in Helt township Vermillion county ;

No. 361. An act to authorize Lebeus Frisbie to build a bridge across Big Blue river at Milltown, in Crawford county ;

No. 371. An act for the relief of Silas Overman, of the county of Grant ;

No. 453. An act to revive the act, entitled "An act to authorize certain individuals therein named to build a bridge across the Kankakee river at Sherwood's Ferry, in Porter county," approved February 15, 1840 ;

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the amendment of the House to the engrossed bill of the Senate, No. 136, entitled, "An act authorizing the establishment of additional branches of the State Bank of Indiana.

Mr. Harlan, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bill of the House and find the same correctly enrolled, viz :

No. 34. An act to change the mode of electing county commissioners in the county of Pike.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

No. 152. A bill (Senate) to amend an act, entitled "An act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847 ;

Mr. Harvey moved to reconsider the vote on ordering said bill to a third reading ;

Which motion prevailed.

Mr. Harvey moved to amend said bill by inserting the following section :

SEC. —. That in the location of said road the town of Danville, in the county of Hendricks, shall be made a point : *Provided*, The same shall be deemed practicable by the Board of Directors locating said road : *And provided further*, That in case the said town of Danville is not made a point in the location of said road, each and every person, body politic and corporate, resident in said county of Hendricks, who has heretofore, or may hereafter, previous to the location of said road, subscribe for stock therein, or their assigns, who shall, within one month after the location of said road shall have been published in said town of Danville, notify the commissioners who opened the books and received said subscriptions, or either of them, of his, her, or their intention to relinquish the stock by him, her, or them so subscribed, shall be from thenceforth released and discharged from any and all liability on account of such subscription of stock in said road made as aforesaid.

The question being,

"Shall the amendment be adopted ?"

The ayes and noes being demanded by Messrs. Harvey and Parker :

Those who voted in the affirmative are,

Messrs. Blackstone, Blythe, Bryant, Campbell, Carr, Coffin, Cole, Commons, Davis, De Bruler, Frazer, Goodman, Harvey, Jones of Bartholomew, Kennard, Lane, Line, Lockwood, Major, McConnell, McCormick, McDonald of Adams, Meredith, Mills, Neal, Norris, Orr, Orton, Prather, Sacktt, Short, Stanton, Swihart, Thompson of Carroll, and Mr. Speaker—35.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Coble, Cookerly, Criswell, Dimmett, Dobson, Dougherty, Doyle, Ford, Gordon, Hall, Holden, Huddleston, Hunt, Jones of Switzerland, Kinney, Little, Lowe, McDonald of Lake, Richmond, Smiley, Sullivan, Tinbrook, Williams of Knox, Winstandley, and Wolfe—27.

There being no quorum voting,
Mr. Lane moved a call of the House ;
Which was seconded.
After some time spent therein,
On motion by Mr. Harvey,
The further call of the House was dispensed with.
The question then recurring,
“ Shall the said amendment be adopted ? ”
The ayes and noes being called,

Those who voted in the affirmative are,

Messrs. Blackstone, Blythe, Bowling, Bryant, Carr, Coffin, Cole, Commons, Davis, De Bruler, Frazer, Goodman, Graham, Hankins, Harding, Harvey, Hull, Jones of Bartholomew, Kennard, Lane, Line, Lockwood, Major, May, McConnell, McCormick, McDonald of Adams, Meredith, Miller, Mills, Neal, Norris, Orr, Orton, Prather, Rulon, Sackett, Short, Stanton, Swihart, Thompson of Carroll, Thompson of Gibson, Trimble, Williams of Madison, and Mr. Speaker—45.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Coble, Cookerly, Criswell, Dimmett, Dobson, Dougherty, Doyle, Dunham, Fuller, Gordon, Hall, Hamilton, Holden, Huddleston, Jones of Switzerland, Kinney, Little, Lowe, McDonald of Lake, Nimmons, Richmond, Shryock, Smiley, Tinbrook, Williams of Knox, Winstandley, and Wolfe—30.

So said amendment was adopted.

Mr. Kinney moved to amend said bill as follows :

"That it shall be optional with the directors of said company to accept or reject the amendment provided for in this bill by filing their assent or dissent with the Secretary of State at any time within three months of the passage of this act ; and if so accepted, this act shall be in force from the time of said acceptance."

Which was adopted.

Mr. McKinzie moved to amend said bill as follows :

Add the following words to the 3d section—

"*Provided*, That said company shall not be allowed to run said road at a greater distance than one-half mile from the court house in said town of Greencastle ;"

Which was adopted.

The question being, "shall the bill be engrossed for a third reading?"

It was decided in the affirmative.

On motion by Mr. Harvey,

The rules being suspended, and said bill read a third time ;

The question then being, "shall the bill pass?"

It was decided in the affirmative.

So said bill passed.

No 70. A bill authorising the Madison and Indianapolis Railroad company, to take stock in other companies, and for other purposes ;

Was read a second time, when,

Mr. Brown moved to amend said bill, as follows :

Add to the third section,

Provided, That nothing in this act, or any other act of the General Assembly of this State, shall authorise the company to change the present termination of her road at Indianapolis, or in any manner, authorize said company, or any other company or persons, to interfere with or change the rights of any person or persons arising from contracts made relative to the location of the Depot, at the said termination ;

Which was adopted.

Mr. Little moved to lay said bill and amendments on the table.

The question being "shall the bill and amendments lie upon the table?"

The ayes and noes being demanded by Messrs. Hull and Jones of Switzerland,

Those who voted in the affirmative are,

Messrs. Armstrong, Baldwin, Blackstone, Carr, Coffin, Commons, Cookerly, Criswell, Davis, De Bruler, Dimmett, Dobson, Doyle, Fuller, Goodman, Gordon, Hall, Harlan, Hetfield, Holden, Huddleston,

Jones of Bartholomew, Kennard, Lichteberger, Line, Little, Major, May, McConnell, McDonald of Adams, Mills, Neal, Orton, Richmond, Rulon, Short, Slater, Smiley, Stanton, Thompson of Carroll, Thompson of Gibson, Tinbrook, and Williams of Knox—43.

Those who voted in the negative are,

Messrs. Blythe, Bowling, Brown, Bryant, Coble, Cole, Dole, Dougherty, Dunham, Ford, Frazer, Graham, Hamilton, Hankins, Harding, Harvey, Hull, Hunt, Jones of Switzerland, Kinney, Lane, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Nimmons, Norris, Orr, Parker, Prather, Sackett, Shryock, Sullivan, Swihart, Terry, Williams of Madison, Winsteadley, Wolfe, and Mr. Speaker—41.

So said bill was laid upon the table.

No. 77. A bill to amend the Estray laws ;

Which was read a third time and lost on its passage.

No. 201. A bill to provide for taking the sense of the qualified voters of the State, on calling a convention to alter, revise, or amend the Constitution of this State ;

The question pending at a former adjournment, was on concurring in the amendment of a select committee, proposed as a substitute for said bill.

Mr. Meredith moved to lay said bill and amendment, on the table ;

Upon which motion,

The ayes and noes were demanded, by Messrs. Cookerly, and Lane,

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Bryant, Coffin, Commons, Davis, DeBruler, Dole, Doyle, Frazer, Fuller, Gordon, Graham, Hamilton, Harding, Hankins, Harvey, Hull, Hunt, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Orton, Parker, Prather, Richmond, Sackett, Smiley, Stanton, Swihart, Terry, Williams of Madison, and Mr. Speaker—43.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Blackstone, Bowling, Brown, Campbell, Carr, Coble, Cole, Cookerly, Criswell, Dimmett, Dobson, Dougherty, Dunham, Ford, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Nimmons, Norris, Orr, Roache, Rulon, Short, Shryock, Sullivan, Thompson of Carroll, Thomson of Gibson, Tinbrook, Williams of Knox, Winsteadley, and Wolfe—49.

So said bill was not laid upon the table.

Mr. Orr moved to amend said bill by striking out that provision in the bill, which requires the voters to vote "*viva voce* ;"

Which was not adopted.

Mr. Orr moved to amend said bill as follows :

"Strike out the penalty ;"

Which was not adopted.

Mr. Cole moved to amend said bill as follows :

"Strike out the 3d section, and insert the following :"

SECTION 3. Those voting in favor of a convention, shall have written or printed on their ballots, "convention," and those voting against a convention, shall have written or printed on their ballots, "no convention."

Mr. Lane moved to lay said amendment on the table ;

Which motion prevailed.

The question recurring, "shall the amendment proposed by the committee, as a substitute for said bill, be adopted?"

It was decided in the affirmative, and said amendment adopted.

Mr. Hamilton moved to indefinitely postpone said bill, whereupon,

The ayes and noes were demanded by Messrs. Meredith and Line,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Bryant, Coble, Coffin, Commons, Criswell, De Bruler, Dole, Frazer, Fuller, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Little, McCormick, McKinzie, Meredith, Miller, Morrison, Orr, Parker, Prather, Richmond, Sackett, Stanton, Swihart, Terry, Winstandley, and Mr. Speaker—38.

Those who voted in the negative are,

Messrs. Armstrong, Blackstone, Bowling, Campbell, Carr, Cole, Cookerly, Dimmett, Dobson, Dougherty, Doyle, Dunham, Ford, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Nimmmons, Norris, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Thompson of Gibson, Tinbrook, Trimby, Williams of Knox, Winstandley and Wolfe—47.

So said bill was not indefinitely postponed.

The question then being, "shall the bill be engrossed?"

The ayes and noes being demanded by Messrs. Wolfe and Meredith,

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Campbell, Carr, Cookerly, Davis, Dimmett, Dobson, Dougherty, Dunham, Ford, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Mills, Neal, Nimmons, Norris, Orr, Roache, Rulon, Short, Shryock, Slater, Smiley, Sullivan, Thompson of Gibson, Tinbrook, Trimby, Williams of Knox, and Wolfe—46.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, De Bruler, Dole, Frazer, Fuller, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hunt, Kinney, Little, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Orton, Parker, Prather, Richmond, Sackett, Stanton, Swihart, Terry, Williams of Madison, and Mr. Speaker—39.

So said bill was ordered to be engrossed for a third reading.

Mr. Lane moved to suspend the rules and read the bill a third time.

Which motion did not prevail.

No. 285. A bill repealing the law in certain counties authorizing the clerks to receive pay for extra services, and explanatory of the present law with regard to costs in State cases ;

Which was read a second time, when

Mr. Lane moved to amend said bill as follows :

“ That in the counties of Dearborn, Jennings, and Pike the clerks of the circuit court in said counties shall not be entitled to any pay out of the county treasury for extra services.”

Which was adopted.

Said bill was considered as engrossed and read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 360. A bill to repeal the latter clause of the 6th section of an act in reference to the Central Canal, approved January 13, 1846 ;

Was read a second time, when

Mr. Brown moved to refer said bill to the committee on canals and internal improvements.

Which motion did not prevail.

Mr. Kinney moved to amend said bill as follows :

Insert a provision authorizing the treasurer and auditor of State to sell out the interest of the State in said canal ;

Which was adopted.

The bill was then read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Frazer,

The rules were suspended, and the following message from the Senate, by Mr. Test, their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with an amendment, to wit :

No. 89. An act to incorporate the Kosciusko, Elkhart, and Miami Railroad Company ;

In which the concurrence of the House is respectfully requested.

Which amendment was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harlan, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bills of the House and find the same correctly enrolled, viz :

No. 107. An act in relation to the taking of the list of children in the county of Perry, for school purposes ;

No. 218. An act to amend an act entitled " An act to incorporate the Lawrenceburgh and Rushville Turnpike Company," approved Jan. 19, 1846 ;

No. 371. An act for the relief of Silas Overman, of Grant county ;

Whereupon the Speaker signed the same.

Ordered, That the clerk take the same to the Senate for the signature of the President thereof.

On motion by Mr. Huddleston,
The House adjourned until 2'clock, P. M.

2 o'clock, P. M.

The House met.

Mr. Jones of S., on leave granted, presented the following petition :

Petition of William Wilkie to allow John Wilkie to make a deed in a certain case ;

Which was,

On motion by Mr. Jones of S.,

Referred to a select committee of Messrs. Jones of S., Lowe, and Morrison.

On leave granted,

The following petition and remonstrance were presented :

By Mr. Hetfield,

Petition of sundry citizens of Attica, Fountain county, for a certain charter therein named.

Also, remonstrance from the same against the prayer of said petition.

Which were,

On motion by Mr. Hetfield,

Referred to the committee on corporations.

On leave granted,

The following petition was presented :

By Mr. Harvey,

Petition of Cornelius Banta and others for the revival of an act incorporating the town of Belleville, in Hendricks county, with certain amendments thereto ;

Which was,

On motion by Mr. Harvey,

Referred to a select committee of Messrs. Harvey, Holden, and Huddleston.

On leave granted,

The following petition was presented :

By Mr. Harvey,

Petition of Thomas Irons and others for a change in a certain State road.

Mr. Bryant, on leave granted, introduced

No. 472. A bill to incorporate the Attica Hydrant Company ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Bryant,

Referred to the committee on corporations.

Mr. Meredith asked and obtained leave of absence for Mr. Little and Stanton, from to-morrow until the close of the session.

Mr. Lane, on leave granted, introduced

No. 473. A bill to incorporate the Grand Lodge of the Oriental Evanic Order of Brethren ;

Which was read a first time and ordered to a third reading.

On leave granted,

Mr. Dole offered the following resolution :

Resolved, That the use of this hall is hereby tendered to Samuel F. Carey, Esq., for the purpose of lecturing on the subject of Temperance, this (Thursday) evening;

Which was adopted.

Mr. McConnell, from the committee on the affairs of the State Prison, on leave granted, made the following report :

MR. SPEAKER :

The committee on the affairs of the State Prison, to whom was referred Senate bill No. 167, an act for securing an effective supervision of the State Prison, have had the same under consideration and directed me to report it back to the House, with certain amendments, and when so amended, recommend its passage.

The following are the amendments proposed by the committee :

Amend section 4th by adding after the word 'prison,' where it occurs in the fourth line in said section, the following—'and remove him at any time when they deem the interests of the prison shall require it.'

Also by adding the following :

Sec. —. That all officers, under-keepers, and guards employed in the government of and police of the Indiana State Prison, shall, before entering upon the discharge of such duties, take an oath for the faithful and impartial discharge of the same, according to law, and the rules and regulations established for the government and discipline of the prison; and the warden of the prison is hereby authorized to administer all such oaths, but shall be allowed no fee or compensation therefor.

Sec. —. The sum of — dollars is hereby allowed and ordered to be paid out of any moneys in the treasury of the State not otherwise appropriated, and placed in the hands of the recorder, to be by him applied in the purchase of mechanical, moral, and religious books for the use and benefit of the prisoners.

Sec. —. That if a vacancy occur in said board of inspectors, it shall be the duty of the Governor to appoint an inspector or inspectors, as the case may be, to fill said vacancy or vacancies until the setting of the next legislature.

Said bill was read a second time.

Mr. Orton moved to lay it on the table ;

Which motion prevailed.

On leave granted,

Mr. Norris, from the committee on education, made the following report :

MR. SPEAKER :

The committee on education, to whom was referred a resolution of the House, instructing them to inquire into the expediency of so changing the charter of the State University as to elect the trustees thereof by the legislature, have instructed me to report that in their opinion such change would be inexpedient ; they, therefore, ask to be discharged from the further consideration thereof ;

Which was concurred in.

On leave granted,

Mr. Dougherty, from the committee on claims, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the petition of Lucian Barbour, John Elder, and Edwin J. Peck, praying for the relief, have had the same under consideration and have directed me to report the accompany bill and respectfully recommend its passage :

No. 474. A bill for the relief of Lucian Barbour, John Elder, and Edwin J. Peck, commissioners appointed by a joint resolution of the General Assembly, authorizing the making of estimates for the completion of the new State Prison and other buildings, approved January 21, 1847 ;

Which was read a first and second times, the rules being suspended therefor, when,

Mr. Wolfe moved to amend said bill by striking out the words 'ten dollars' and insert 'five dollars ;'

Which motion prevailed.

Said bill was then read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Terry, on leave granted, introduced

No. 475. A bill to vacate a certain road in Daviess county ;

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Terry,

Referred to the committee on roads.

Mr. Slater, on leave granted, introduced

No. 476. A bill to amend an act granting the citizens of Lawrenceburgh a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject, approved January 20, 1846 ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Baldwin, from the committee on the affairs of the town of Indianapolis, on leave granted, made the following report :

MR. SPEAKER :

The committee on the affairs of the town of Indianapolis, to whom was referred the petition of the citizens of Indianapolis to relieve a portion of them from paying corporation tax, have had the same under consideration, and have directed me to report that it inexpedient to legislate upon the subject contained therein, and ask leave to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Terry, on leave granted, introduced

No. 477. A bill for the relief of Abraham Perkins, late collector of Daviess county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Sullivan, from the committee on the affairs of the State Prison, on leave granted, made the following report :

MR. SPEAKER :

The committee on the State Prison, have had the following bill under consideration and requested me to report the same to this House :

No. 478. A bill to amend an act entitled an act to lease the Indiana State Prison, and for other purposes, approved January 26, 1846 ;

Which was read a first time and ordered to a second reading.

Mr. Harlan from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them truly enrolled :

No. 85. An act to legalize a sale of real estate by Peter Navare Jr.

No. 90. An act to incorporate the South Bend Woolen and Cotton Manufacturing Company ;

No. 113. An act authorizing the location of a State road in Posey county ;

No. 115. An act regulating the salary of the auditor of Putnam county ;

No. 120. An act to legalize the acts of the president and trustees of the town of Rising Sun, in Ohio county, State of Indiana ;

No. 131. An act to change the name of Ebenezer Barker Twitchell ;

No. 132. An act for the relief of Mary M. Goodrich ;

No. 134. An act to authorize the auditor and school commissioner of Miami county to make a deed to Jacob Brower ;

No. 139. An act to amend an act entitled an act to repeal an act more effectually to enable supervisors to open and keep in repair public highways ;

No. 141. An act in relation to the tax duplicate of the county of Jefferson, for the year 1847 ;

No. 142. An act to incorporate the Centreville and Abington turnpike company ;

No. 149. An act for the relief of Charity Forden of Daviess county ;

No. 157. An act to locate a State road in the county of Posey ;

No. 242. An act to authorize John Secrest to build a mill dam across the Mississinewa River in Grant county ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Stanton, a member of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with the engrossed bills and find them correctly enrolled:

No. 6. An act authorizing the sale of certain school land in Franklin county ;

No. 8. An act to provide for assessing and collecting a road tax on land and town lots in Madison county ;

No. 11. An act to provide for the sale of certain school lands in the county of Dearborn, belonging to town 9, range 3 west, in Franklin county ;

No. 12. An act to enable the supervisors of Scott county to make their returns to the board doing county business on the first Monday in March annually ;

No. 22. An act for the relief of the surplus revenue fund, belonging to Decatur county ;

No. 42. An act to provide for the selection of petit jurors in the county of Warren :

No. 52. An act for the selecting of jurors in the county of Delaware :

No. 62. An act to incorporate the Botanic Medical Society of Decatur county ;

No. 64. A bill to incorporate the Laporte Female Seminary ;

No. 103. An act in relation to the fees of the treasurer of Owen county, in certain cases ;

No. 278. An act to improve the roads in the county of Switzerland ;

No. 280. An act to change a certain State road therein named in the county of Jackson ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

The following message was received from his Excellency the Governor, by Mr. Sleeth his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on yesterday approve and sign bill No. 282, entitled "an act to locate a certain State road therein named, from Hellensville in Lawrence county, through Brown and Jackson counties, to Columbus in Bartholomew county," which originated in the House of Representatives.

February 10th, 1848.

ORDERS OF THE DAY.

Bills on second reading.

No. 362. A bill authorizing an additional place of holding elections in Hamilton township, Jackson county ;

Which was read a second time, and ordering to be engrossed for a third reading.

No. 366. A bill to provide for the refunding of payments to purchasers at tax sales where the sale is invalid ;

Which was read a second and third times, the rules being suspended therefor ;

The question then being "shall the bill pass ?"

The ayes and noes being demanded by Messrs. Wolfe and Hull ;

Those who voted in the affirmative are,

Messrs. Albin, Blythe, Bryant, Cole, Dole, Dougherty, Dunham, Ford, Frazer, Fuller, Graham, Hamilton, Harvey, Huddleston, Hunt, Kinney, Line, Little, May, McCormick, McDonald of Adams, McKinzie, Meredith, Miller, Norris, Orton, Parker, Prather, Richmond, Roache, Rulon, Sackett, Short, Shryock, Smiley, Sullivan, Swihart, Terry, Williams of Madison, and Mr. Speaker—40.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Campbell, Carr, Criswell, Dimmet, Doyle, Harding, Hetfield, Holden, Hull, Jones of Bartholomew, Jones of Switzerland, Kennard, Lichteberger, Lockwood, Lowe, Major, McConnell, McDonald of Adams, Morrison, Nimmons, Orr, Stanton, Thompson, of Carroll, Thompson of Gibson, Williams of Knox, and Wolfe—28.

So said bill passed.

No. 346. A bill to change the mode of doing probate business, and for other purposes ;

Which was made the order of the day for to-day at 2 o'clock.

The question pending at the last adjournment, was on the adoption of the amendment offered by Mr. Cookerly, which is as follows :

Amend "at the next annual election after the taking effect of this act ;"

Which was not adopted.

Mr. Kinney moved to amend said bill by striking out the 20th section ;

Which was not adopted.

The question being "shall the amendment to the bill as amended be adopted ?"

Mr. Nimmons moved the previous question ;

Which was seconded.

The question being "shall the main question be now put ?"

It was decided in the affirmative.

The main question being "shall the bill be engrossed for a third reading ?"

The ayes and noes being demanded by Messrs. Lowe and Jones of Switzerland ;

Those who voted in the affirmative are :

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coffin, Cole, Commons, Frazer, Graham, Hamilton, Harlan, Harvey, Huddleston, Jones of Switzerland, Kinney, McKinzie, Meredith, Neal, Orton,

Parker, Richmond, Rulon, Shryock, Terry, Thompson of Carroll, and Winstandley—27.

Those who voted in the negative are,

Messrs. Bowling, Campbell, Carr, Coble, Cookerly, Criswell, Davis, DeBruler, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Fuller, Gordon, Hall, Hankins, Hetfield, Holden, Hunt, Jones of Bartholomew, Kennard, Lichteberger, Line, Little, Lockwood, Lowe, May, McConnell, McCormick, McDonald of Adams, Miller, Mills, Morrison, Nimmons, Norris, Orr, Prather, Roache, Sackett, Short, Slater, Smiley, Stanton, Sullivan, Swihart, Thompson of Gibson, Tinbrook, Trimby, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—55.

So said bill was lost on its engrossment.

Mr. Orr moved to take from the table

No. 95. A joint resolution in relation to the mileage of the members of the present General Assembly, and place it upon the files of the House ;

Upon which motion,

The ayes and noes were demanded by Messrs. Orr and Dougherty :

Those who voted in the affirmative are,

Messrs. Armstrong, Brown, Carr, Coble, Cole, Commons, Dobson, Dougherty, Frazer, Harding, Harvey, Holden, Kennard, Lane, Major, McKinzie, Orr, Prather, Richmond, Roache, Sackett, Short, Sullivan, Trimby, Williams of Knox, Williams of Madison, and Winstandley—27.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Bryant, Campbell, Coffin, Cookerly, Criswell, Davis, Dimmett, Dole, Doyle, Dunham, Ford, Gordon, Graham, Hall, Hamilton, Hankins, Harlan, Hetfield, Huddleston, Hull, Jones, Kinney, Lichteberger, Line, Lockwood, May, McConnell, McCormick, McDonald of Adams, McDonald of Lake, Meredith, Miller, Mills, Morrison, Neal, Nimmons, Norris, Orton, Parker, Rulon, Slater, Smiley, Swihart, Terry, Thompson of Gibson, Wolfe, and Mr. Speaker—52.

So said joint resolution was not taken from the table.

The following message was received from His Excellency the Governor by Mr. Sleeth, his Private Secretary:

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did, on this day, approve and sign the following bills :

No. 107. An act in relation to the taking of the list of children in the county of Perry for school purposes ;

No. 218. An act to amend an act entitled an act to incorporate the Lawrenceburgh and Rushville Turnpike Company, approved January 19th, 1846 ;

No. 371. An act for the relief of Silas Overman of Grant county ;

No. 34. An act to change the mode of electing county commissioners in the county of Pike ;

No. 288. An act to locate a State road in the counties of Allen and Wells ;

All of which originated in the House of Representatives.

February 10, 1848.

No. 377. A bill to revise and consolidate the several acts of Assembly, in relation to laying out, opening, repairing, changing and vacating public highways, and the erection and repair of bridges, and to amend the same ;

Which was read a second time and ordered to a third reading.

On motion,

The House adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, FEBRUARY 11, 1848.

The House met.

Mr. Meredith moved a call of the House ;

Which was seconded.

After some time spent therein,

On motion by Mr. Meredith,

The further call of the House was dispensed with.

Mr. Dimmett asked and obtained leave of absence for Mr. Armstrong until the close of the session.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the engrossed bills of the House without amendments, entitled ;

No. 155. An act vacating a certain State road therein named ;

No. 158. An act to locate a State road in the counties of Carroll and White ;

No. 159. An act to incorporate the Madison and Cross Plains Turnpike Company ;

No. 160. An act to incorporate the German Evangelical Lutheran St. John's Church, in Dearborn county ;

No. 161. An act to revive the road laws in the counties of Lake and Porter ;

No. 162. An act to locate a State road in Madison and Hamilton counties ;

No. 164. An act to repeal an act therein named ;

No. 165. An act to vacate a part of the town of Hagerstown, in Wayne county ;

No. 166. An act declaring a misprint in the 1st section of an act of the local laws of 1847, in relation to the surplus revenue agent of Perry county ;

No. 167. An act to change the name of Malissa Davis to Malissa Emaline Miller ;

No. 179. An act to locate a State road in the counties of LaPorte and St. Joseph ;

No. 172. An act to authorize John Webster to build a mill dam across the Little St. Joseph river ;

No. 173. An act to repeal an act vacating a part of the town of Milford, in Kosciusco county ;

No. 174. An act legalizing the assignment of a certificate for certain school lands in Morgan county, and for other purposes ;

No. 175. An act to authorize a certain change in the Strawtown and Peru State road, in Hamilton county ;

No. 176. An act in relation to a road in DeKalb county ;

No. 177. An act to legalize the assignment of a certificate for certain school lands therein named ;

No. 178. An act to authorize the sale of a certain town lot therein named ;

No. 180. An act to repeal part of an act authorizing the State Bank of Indiana to lay off plat and record in out lots certain lands adjoining and lying near to the town of South Bend, St. Joseph county ;

No. 182. An act to legalize the assignment of a certificate for certain school land in Wayne county, and for other purposes ;

No. 184. An act to vacate certain enlargements of the city of Evansville ;

No. 185. An act to form a new school district from school districts Nos. 1 and 4, in congressional township No. 2 north of range 2 east ;

No. 187. An act authorizing the location and establishment of

a State road from Bedford, in Lawrence county, by Clear Spring, in Jackson county, to Columbus, in Bartholomew county ;

No. 188. An act to authorize the auditor and school commissioners of Morgan county to make a deed to William Berry for certain school lands in said county ;

No. 193. An act to authorize the auditor of Hendricks county to sell certain lands ;

No. 192. An act in relation to the pay of grand and petit jurors in certain counties therein named ;

No. 195. An act to provide for the construction of a railroad from Martinsville, in Morgan county, to Point Commerce, in Greene county ;

No. 196. An act to authorize a company to construct the Aurora and Laughery Turnpike Road ;

No. 197. An act to authorize a company to construct a turnpike road from Mooreshill to Aurora, in Dearborn county ;

No. 198. An act in relation to school funds in the county of Daviess ;

No. 200. An act repealing a certain act therein named ;

No. 202. An act to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county ;

No. 206. An act to authorize the sale of lots in the town of Brownstown for delinquent taxes ;

No. 208. An act to extend the time of holding the commissioners' court of Boone county ;

No. 210. An act to change the name of Bezaleel Thomas to that of Basil Thomas ;

No. 214. An act to provide for the improvement of the town of Williamsport ;

No. 216. An act to authorize the clerk of Sullivan county to offer and sell certain lots and lands therein named, at the court house door in Sullivan county ;

No. 220. An act to amend an act entitled "An act appointing commissioners to make partition of the estate of Stephen S. Collet, late of Vermillion county, deceased," approved Jan. 19, 1846 ;

No. 225. An act authorizing county auditors to take acknowledgments of deeds in certain cases ;

No. 231. An act to enable the auditor of St. Joseph county to make a deed in a certain case ;

No. 232. An act declaring the meaning of an act to amend an act amendatory to an act incorporating Michigan City, approved Feb. 15, 1841 ;

No. 255. An act to authorize Sarah Shannon to convey certain real estate ;

No. 237. An act to legalize the vacation of certain lots, streets, and alleys in South Bend ;

No. 238. An act to legalize the acts of Michael Shiel, a justice of the peace of Hamilton county ;

No. 240. An act in relation to road taxes in the county of Howard;

No. 243. An act authorizing the sheriff of Dearborn county to use the jail at Wilmington for a certain period of time therein named;

No. 246. An act reducing the fee for recording deeds in Delaware county;

No. 247. An act to revive an act entitled "An act to incorporate the town of Muncie, in Delaware county;"

No. 248. An act authorizing county auditors to make deeds in certain cases;

No. 252. An act to amend an act entitled "An act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, and to provide for the election of a commissioner to restore said records," approved January 13, 1845;

No. 254. An act authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county, Indiana;

No. 255. An act to locate part of the Indianapolis and Center-ville State road;

No. 259. An act to locate a State road in the counties of Franklin and Ripley;

No. 260. An act authorizing the auditor of Franklin county to sell certain school lands therein named;

No. 262. An act to vacate a certain street in the village of Byron, in Laporte county;

No. 263. An act to amend the charter of the Indiana Medical College;

No. 267. An act to change the name of Charlotte Leggett Fox Dubois to Charlotte Fox Dubois Ladd;

No. 269. An act to vacate the streets, alleys, and town lots of Georgetown, in the county of Adams;

No. 339. An act to repeal the 4th section of the 47th chapter of the Revised Statutes so far as relates to Elkhart county;

No. 363. An act authorizing the auditor of Vigo county to sell certain tracts of land therein named;

No. 364. An act to vacate the town of Florentine, in Tippecanoe county, Indiana;

No. 449. An act making provisions for the payment of witnesses;

No. 456. An act to amend "An act to provide for the election of prosecuting attorneys by the people," approved Jan. 27, 1847;

No. 460. An act to authorize certain voters in Daviess county to vote in Washington township in said county;

On motion by Mr. Meredith,

The rules were suspended, and the following message from the Senate was taken up;

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following enrolled bill of the Senate, the Governor's objections, which are herewith transmitted, to the contrary notwithstanding, to wit:

No. 120. An act for the relief of Patrick McGinley;

And have directed me to bring the said bill and objections of the Governor to the House, for its consideration.

To the Senate of Indiana:

GENTLEMEN:—I herewith return bill, No. 120, entitled "An act for the relief of Patrick McGinley," which originated in your body, with the reasons which have convinced me that it ought not to become a law of the land, and which have constrained me therefore to withhold from it my signature of approval.

My time has been so much occupied with an examination of a multitude of bills, caused by the near approach of your final adjournment, and with my other public duties, that my notice of the bill must necessarily be quite brief.

The bill provides that the claim of Patrick McGinley against the State, for materials furnished for, and work done on the Silver Creek bridge, in Floyd and Clark counties, shall be referred to three arbitrators, appointed by the Governor, two of whom shall be men of legal knowledge—that the award or decision of them, or of a majority of them, shall be in writing, and filed in the clerk's office of the Floyd circuit court; that the same shall be final unless appealed from within thirty days to the supreme court, and that on presenting the final award to the Auditor of State, he shall issue his warrant for the amount which may be allowed to McGinley, on the Treasurer, who shall pay the same "out of any moneys not otherwise appropriated." On reference to a decision of the Floyd circuit court, rendered on this very claim in 1839, it appears that by the terms of the present bill, the arbitrators will have it in their power to award to McGinley twenty thousand dollars against the State. Before authority is parted with for that purpose, it should satisfactorily appear that the claim is *presumptively* a good one. Every such investigation is attended with expense, and the State should not authorize it unless there is at least a plausible ground of complaint. It is of course impracticable for the Legislature or the Executive to *know* whether the claim is well or ill founded, and the argument, for thus in effect asking the State to permit a suit to be brought against herself, no doubt is, to remove that uncertainty, by a formal and legal investigation.

But that investigation has already been afforded, and acted upon too some eight years ago. Experience has abundantly shown that too frequently when a State authorizes a suit to be brought against

herself, she is the loser. In such controversies the State is weak and the individual is strong. If the State as a litigant gains a suit, it is much stronger evidence that justice requires it, than it would be in the case of an individual. I have not time to enumerate all the reasons for this, but they are known to every member of the bar, of standing and experience.

This claim is ten years old. It is founded on transactions which happened as long ago as 1837. It grew out of the disastrous internal improvement system, so unfortunately authorized by the State in 1835-36. The claimant contracted to build the bridge over Silver Creek, already referred to, in March, 1837.

After proceeding with his work till towards the close of the year, and after having been paid thereon the sum of \$21,814 20, his contract was finally declared abandoned by the engineer, as by the terms of the contract itself, the engineer was authorized to do. The complaint is, that the claimant is yet entitled to damages for materials furnished for, and work done on the bridge. The defence is that he has been paid more already than he was entitled to receive according to his contract.

The matter was first referred by the claimant, for redress, to the board of internal improvement. The facts were then fresh in the memory of all concerned, the witnesses had not died or removed to distant parts, and yet even then the board decided against the claim.

Upon the application of the claimant afterwards to the Legislature a joint resolution was passed as early as the session of 1838-9 allowing him to bring suit against the State by bill in chancery, in the Floyd circuit court, for the full amount of his claim. This was passed under a strong and earnest protest against it, on the part of no less than 44 members of the House of Representatives. [House Journal of 1838-9, page 452.]

Having made this reference, it is unnecessary to repeat in this place objections which were then urged, and many of which I think eminently worthy of consideration, but I desire to say that if the objections were then pertinent, they are yet in full force, with the additional ones, on which I will now proceed to remark.

The suit was brought, and on the 6th day of May, 1840, a decree was rendered by that court against the State for \$13,500 and costs. From this decree an appeal was taken to the supreme court, where it was finally reversed and set aside "for the want of equity."

Since the bill under consideration was presented to me, I have, from an anxious desire to do justice, looked through the voluminous record, which was before the supreme court, examining all the evidence, sworn and documentary, as well as an elaborate brief on each side of the cause, also on file, the productions of able counsel, and I feel bound to say, that in my judgment, the evidence, as to number and professional skill and experience, and as to its specific

and pointed bearing, is in accordance with the decision of the supreme court, and in favor of the State.

But it is not perhaps necessary to decide on the merits of the controversy, and injustice, *may* sometimes be done to a claimant, for every human tribunal is fallible ; still, for every practical purpose the *presumption* must and ought to be, that the final judgment or decree of a court is right, and that it settles the controversy. It is the interest of the community that litigation shall some time cease. If the present bill should become a law, another investigation be ordered, and another decision be had against McGinley, what will prevent him from again applying to the Legislature for the privilege of suing the State a third time ? What reason could then be urged against it, which cannot now be urged ? Would any thing satisfy this importunity, this wearying of the State, but final success ? What inducement would thus be held out to a large class of similar claims ? After the claimant has once had the privilege of suing the State with all the advantages it confers, and has failed to establish his claim in the judgment of the highest judicial tribunal, it does seem to me that this lately bankrupt State, weak as she must be admitted to be in such controversies, should enjoy at least the privilege of other litigant parties, and suffered finally to repose. This view is so manifestly just, that, by way of obviating it, it has been said that one, perhaps two, of the then judges of the court which reversed the decree, have since expressed the opinion that the claimant suffered injustice in their decision.

But aside from its great improbability, I would not, and especially in a communication like the present, even allude to such a rumor, except for the purpose of declaring my entire disbelief of it. At the same time I desire to exculpate the gentlemen who have communicated the rumor to me, from the slightest intentional misrepresentation, of which, I am satisfied that they are incapable. I am too well aware how natural is the transition from original misapprehension to subsequent exaggeration and final injustice.

The whole record, the whole evidence, the whole argument was before that court, and it would, in my judgment, be as unjust to its members as it would be against the soundest policy, to suppose that they did not give the cause its merited examination and full consideration.

But another strong objection to my mind against the claim is, its staleness. It is no argument against this objection to say that the claimant is poor. Whatever obstacle poverty may be to prosecuting a claim in court, it is none whatever to an application to the Legislature. That body cannot justly be charged with *illiberality*, and especially as to private claims. There has been every encouragement, therefore, to apply to it for relief, and the only natural and safe supposition, under the circumstances, is, the conscious worthlessness of the claim itself.

Several other objections have occurred to my mind touching the restrictions as to the mode of investigation, the unjust principle of

allowing eight years' interest on unliquidated damages as permitted by this bill, &c. &c., which I have not time to dwell upon. But I cannot omit saying that I think it a radical defect in the bill, independent of the above objections, that while it may take \$20,000 from the treasury, it makes no provision to supply its loss by increasing the tax list correspondingly. The large appropriations at the last session, made it necessary for the State's agent to resort to his collections from the suspended debt to meet the State's interest due in July last, under the late arrangement of the public debt. Is it fair to throw upon a future Legislature the necessity and the odium of increasing the taxes to meet the sluice on the treasury occasioned by the present bill? Let the members of each session be responsible for their own actions. The sound and safe rule, and one which I beg may never be violated in this State, is, never to incur a debt without making provision at the same time for its ultimate payment.

It is painful to raise objections to bills for private relief. Our sympathies naturally flow towards the individual. We are too apt to forget the juster sympathy due to the laboring poor, who, against the principles of eternal right, are burdened by increased taxation every time an unjust claim is allowed. The opposition of individuals is almost sure to follow the rejection of their claims, however unfounded, and there is nothing to stimulate in the performance of a such a duty, but the abstract public welfare. An officer, however, who can hesitate in such a case is unworthy of the confidence reposed in him, and is derelict in common gratitude to those who have honored him with a public trust. I trust I shall never be found wanting to the claims of justice and patriotism, in any such emergency.

As the facts referred to are not recent, and as the members have not had so full an opportunity of examining the former proceedings in the case as I have enjoyed, I hope no apology is necessary for again submitting the question for their re-consideration.

JAMES WHITCOMB.

February 8th, 1848.

The question being, "shall the bill become a law, notwithstanding the objections of the Governor?"

Mr Cookerly moved to make said message, and the message containing the Governor's veto on Senate bill, No. 196, the order of the day, for to-morrow morning, at 9 o'clock.

Mr. Meredith moved the previous question.

On which motion,

The ayes and noes were demanded by Messrs. Cookerly and Ford,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler,

Dimmett, Dole, Dougherty, Doyle, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Lichteberger, Line, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Neal, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Shryock, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Madison, Winstandley, and Mr. Speaker—60.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Cookerly, Dobson, Dunham Ford, Goodman, Hall, Harlan, Hetfield, Holden, Jones of Bartholomew, Kennard, Kinney, Major, May, McCormick, McDonald of Adams, Norris, Rulon, Short, Slater, Sullivan, Trimble, Williams of Knox, and Wolfe—27.

So the previous question was seconded.

The question being, "shall the main question be now put?"

The ayes and noes being demanded by Messrs. Wolfe and Kinney,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dimmett, Dole, Dougherty, Doyle, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Huddleston, Hull Hunt, Lichteberger, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Neal, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Shryock, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Madison, Winstandley, and Mr. Speaker—60.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Cookerly, Dunham, Ford, Goodman, Hall, Hetfield, Holden, Jones of Bartholomew, Kennard, Kinney, Lane, Line, Major, May, McConnell, McDonald of Adams, Norris, Rulon, Short, Slater, Sullivan, Trimble, Williams of Knox, and Wolfe—27.

So it was decided in the affirmative.

The question recurring, "shall the bill become a law, notwithstanding the objections of the Governor?"

The ayes and noes being called,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Coble, Coffin, Cole, Commons, Cookerly, Criswell, Davis, De Bruler, Dole, Dougherty Doyle, Frazer, Gordon, Graham, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Little, Lockwood, Lowe, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Madison, Windstandley and Mr. Speaker—57.

Those who voted in the negative are,

Messrs. Armstrong, Carr, Dimmett, Dobson, Dunham, Ford, Fuller, Goodman, Hall, Hamilton, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Major, May, McConnell, Mills, Neal, Norris, Rulon, Short, Shryock, Slater, Sullivan, Trimble, Williams of Knox, and Wolfe—33.

So said bill became a law, notwithstanding the objections of the Governor.

Mr. Harvey moved to reconsider the the vote on the passage of said bill, and also moved the previous question ;

On the call for the previous question,

The ayes and noes were demanded by Messrs. Cookerly and Holden,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dougherty, Doyle, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orton, Parker, Prather, Richmond, Roache, Sackett, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Madison, Windstandley, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Campbell, Carr, Cookerly, Dimmett, Dobson, Dunham, Ford, Fuller, Goodman, Hall, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Major, May, McConnell, Mills, Neal, Norris, Rulon, Short, Shryock, Slater, Sullivan, Trimble, Williams of Knox, and Wolfe—33.

So the previous question was seconded.

The question being, "shall the main question be now put?"

It was decided in the affirmative.

The main question being, "shall the vote be reconsidered?"

The ayes and noes being demanded by Messrs. Cookerly and Kinney,

Those who voted in the affirmative are,

Messrs. Carr, Cookerly, Dimmett, Dunham, Ford, Goodman, Hall, Hamilton, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Line, Major, May, McConnell, McDonald of Adams, Neal, Norris, Rulon, Short, Slater, Sullivan, Trimble, Williams of Knox, and Wolfe—29.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dole, Dougherty, Doyle, Frazer, Fuller, Gordon, Graham, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Liechteberger, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Shryock, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Madison, Winstandley and Mr. Speaker—60.

So said vote was not reconsidered.

On motion by Mr. McDonald, of Lake,

The following message from the Senate, by Mr. Test, their secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following enrolled bill of the Senate, the objections of the Governor to the contrary, notwithstanding, to-wit:

No. 196. An act for the relief of Jesse Beard and Elias L. Beard ;

And have directed me to bring the same, with the objections of the Governor, to the House for its consideration.

To the Senate :

GENTLEMEN :—The bill which originated in your body, entitled "An act for the relief of Jesse Beard and Elias L. Beard," is herewith returned. My signature to it has been withheld for the following reasons :

The preamble states that one Joseph Renner entered into a contract on the 7th of June, 1839, with the board of Internal Improvement, for the construction of section five of the Wabash and Erie Canal—that Renner, with the assent of the acting commissioner of the canal, transferred the contract to the Messrs. Beards—that by the contract, the State was bound to pay for the work in par funds, and that the Beards undertook it under that expectation—that under the general suspension, their work was stopped—that on the resumption of the work, they, by the advice of William J. Ball, engineer of the canal, prosecuted it under the expectation that the State would comply with the contract—and that the State having no par funds, the Beards received all their pay in canal scrip, which had become depreciated.

The bill then requires that the Governor shall appoint a commissioner to try the claim, who shall appoint a day for the commencement of the trial in Lafayette—that he shall swear witnesses, and examine them touching the matters to be investigated—that the Governor shall appoint a person to act as counsel for the State on the investigation, the amount of whose fee shall be fixed by the decision of the commissioner—that upon the commissioner awarding a sum against the State, and in favor of the claimants, he shall certify to the auditor of State, and the treasurer shall pay it. An appeal is allowed to the circuit court, or to the newly organized court of common pleas of Tippecanoe county.

Stripped of all irrelevant matter, the complaint in brief is, that contractors found the State unable, in consequence of her prostrate credit, to pay them for their work in par funds, as required by their contract—that instead of abandoning it, and giving the State an opportunity of employing other, as they might have done, they went on and finished it, received the State's promissory notes for the amount, (on the principle of an accord and satisfaction,) and passed them away, while the State has since either taken them up at par, or has made ample provision for doing so.

And now the question is, shall the State, besides redeeming her paper at its face, and according to its terms, be required to pay the contractors the loss they sustained by bargaining it away at less than par?

Is an individual debtor required by law to do so? And if not, ought the State, struggling as she now is to pay her debts, to be held to a stricter rule?

Surely not; for the receiving the scrip under protest even if made—a protest made to a State officer, who could not change his course in consequence, but was compelled by law to pay it over, protest or no protest, cannot alter the case. Nor can the advice of Mr. Ball to the contractors, to proceed with their work—nor can his opinion given to them, that the State would pay them in par funds, (if such opinion was ever given,) make the State liable.

Such an opinion at that dark period of the State's misfortunes,

could not have been believed ; and even if believed, Mr. Ball had no authority thus to bind the State.

But decisive as I regard the above objection to be, the precedent to be established by the passage of this bill, makes a far greater one. The same reason would require the State to make up the difference to every other contractor and State officer who have received scrip for their claims, or services.

Efforts have been made to convince me that there is a distinction between the present claim, and others where a depreciated scrip has been received, but without effect. I can see no difference in principle ; and the slight difference in form, would be overcome with a far less stride hereafter, than that taken to pass the present bill. But if the amount of this depreciation is made up in the case of all the other contractors, what will be the result ? To answer this question, it is necessary to see the amount of scrip issued.

The amount of \$5 and \$50 scrip paid to contractors on our public works, when the system was broken down and the credit of the State gone, was \$1,500,000. The scrip issued on the canal east of Lafayette, amounts to \$421,761 28, and that issued on it west of that place, to \$819,980—making in all \$2,741,741 28. I am informed from a reliable source, that the first description of scrip was depreciated soon after its issue, to from 53 to 65 cents on the dollar, and the second and third descriptions to about 40 cents on the dollar. This makes a total of depreciation, of about thirteen hundred thousand dollars, which the State, (besides meeting the scrip at par,) would, by carrying out the principles of the present bill, be obliged hereafter to pay out of her exhausted treasury.

But even this is not all. By the same principle, or an easy consequence from it, a heavy and still increasing amount of interest, would also have to be paid on that depreciation.

The principle of the bill does not relieve the laborers on the public works, the farmers, and others who received this scrip from the contractors ; it only relieves those who received it from the State—the contractors themselves.

The only way in which the laborer, and the community will be affected by it, (after having suffered their own share of the depreciation,) will be to be taxed to make up the loss sustained by the wealthier contractors—and that, too, when it is believed that in nearly all cases, the contractors paid off this very scrip to the real sufferers *at par*, and consequently suffered no loss whatever.—Those who really suffered, (or at least who suffered the most,) will be injured, not benefited, by the principles sanctioned by this bill, while the others who paid off their debts with the scrip, and at par, will reap all the advantage. Is this justice ?

Again. Why is an investigation necessary ? Not to settle the facts. The nature of the contract, the amount of the scrip paid to these claimants, the extent of its depreciation, &c., are well known.—The important facts, whatever they are, are susceptible of office or record proof. Nothing remains to be decided, but the *principle* re-

ferred to, viz.: shall any allowance be made by the State to contractors for depreciated scrip? On this question, I have frankly expressed my opinion; and if the Legislature should dissent from it, it is far better, in my judgment, that they calculate the difference, and to make the allowance at once from the Treasury, than to incur the heavy expense of a protracted investigation, the costs of a long trial, for the purpose of ascertaining facts already well known.

Another objection to this bill, I have already remarked upon in another communication. So many bills have already passed, or are yet before the Legislature, contemplating a heavy disbursement from the Treasury for individual claimants, that there is great danger of its disabling the authorities of the State, from meeting other indispensable engagements, and especially from paying the interest on the State debt. Before these bills should be suffered to pass, or before an expense of any kind of the same amount should be authorized, the taxes should be correspondingly increased. They must be increased hereafter, if these expenses are incurred, and better now if ever. This policy would answer the double purpose of preventing prodigality, and of preserving our public faith inviolate.

But I am not advised that any such increase is contemplated, nor, indeed that the State officers are to be authorized to borrow any funds to supply such probable deficiency.

In conclusion, I am clearly of the opinion, independently of all that has been said, that (at least in relation to claims like the present) the State should never permit a suit to be brought against herself;—for such the procedure authorized by the present bill virtually is. Such a permission, if not unworthy of a sovereign State, is almost certain to result in a loss to the public. In such controversies, individual vigilance, and individual knowledge of men, stimulated by one of the strongest passions of the human heart, the love of gain, is almost sure to triumph over justice. The State becomes the party assailed,—but whether the assailed, or the assailant, she is ever the weaker party.

I will merely add that private claims and private interests are represented here at every session of the Legislature, ably, keenly, and untiringly. The people of the State—that is, the great mass of the unsuspecting and confiding people at a distance—have none to protect their rights but those who have been entrusted with the necessary power for that purpose. Every dollar voted from the Treasury adds to their burdens. And it behooves us all to scrutinize every measure that is so fatally calculated to increase our already heavy taxes.

JAMES WHITCOMB.

February 10th, 1848.

The question being,

H42*

"Shall said bill become a law notwithstanding the objections of the Governor?"

Mr. McDonald of L., moved the previous question.

On which motion,

The ayes and noes being demanded by Messrs. Lane and Jones of Switzerland,

Those who voted in the affirmative are,

Messrs. Albin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Criswell, De Bruler, Dole, Dougherty, Doyle, Frazer, Gordon, Hamilton, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Lichteberger, Little, Lockwood, McCormick, McDonald, of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Shryock, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Williams of Madison, Winstandley, and Mr. Speaker—51.

Those who voted in the negative are,

Messrs. Armstrong, Campbell, Carr, Commons, Cookerly, Davis, Dimmett, Dunham, Ford, Goodman, Graham, Hall, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Line, Major, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Short, Slater, Sullivan, Trimble, and Wolfe—32.

So the previous question was seconded.

The question being,

"Shall the main question be now put?"

It was decided in the affirmative.

The main question then recurring,

"Shall the bill become a law notwithstanding the objections of the Governor?"

The ayes and noes being called,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, De Bruler, Dole, Dougherty, Doyle, Frazer, Gordon, Graham, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Williams of Madison, Winstandley, and Mr. Speaker—55.

Those who voted in the negative are,

Messrs. Armstrong, Carr, Cookerly, Davis, Dimmett, Dunham,

Ford, Goodman, Hall, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lichteberger, Line, Major, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Rulon, Short, Shryock, Slater, Sullivan, Trimby, and Wolfe—31.

Mr. Lane asked and obtained leave to record his vote in the negative.

So the bill becomes a law, notwithstanding the objections of the Governor.

Mr. Little moved to reconsider the vote on the passage of said bill, and also called the previous question.

On seconding the call for the previous question,

The ayes and noes being demanded by Messrs. Kinney and Cookerly,

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Gordon, Hamilton, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Lane, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Sackett, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Williams of Madison, Winstandley, and Mr. Speaker—58.

Those who voted in the negative are,

Messrs. Armstrong, Carr, Cookerly, Dimmett, Fuller, Goodman, Hall, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lichteberger, Major, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Rulon Short, Slater, Sullivan, Trimby, and Wolfe—36.

So the previous question was recorded.

The question then being,

“Shall the main question be now put?”

The ayes and noes being demanded by Messrs. Kinney and Holden,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dole, Dougherty, Doyle, Frazer, Gordon, Graham, Hamilton, Hankins, Harding, Harlan, Harvey, Huddleston, Hull, Hunt, Lane, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Neal, Nimmons, Orr, Orton, Parker, Prather,

Richmond, Roache, Sackett, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Williams of Madison, Winstandley, and Wolfe—58.

Those who voted in the negative are,

Messrs. Armstrong, Carr, Cookerly, Dimmett, Dunham, Ford, Fuller, Goodman, Hall, Hetfield, Holden, Jones of Bartholomew, Kennard, Kinney, Lichteberger, Major, May, McConnell, McDonald of Adams, Mills, Norris, Rulon, Short, Slater, Sullivan, Trimble, and Wolfe—27.

So the main question was ordered to be put now,

The main question then being,

“Shall the vote be reconsidered?”

The ayes and noes being demanded by Messrs. Cookerly and Kinney,

Those who voted in the affirmative are,

Messrs. Armstrong, Carr, Cookerly, Dimmett, Dunham, Ford, Goodman, Hall, Holden, Jones of Bartholomew, Jones of Switzerland, Kinney, Lane, Major, May, McConnell, McDonald of Adams, Mills, Neal, Norris, Rulon, Short, Slater, Sullivan, Trimble, and Wolfe—26.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Campbell, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dole, Dougherty, Doyle, Frazer, Fuller, Gordon, Graham, Hankins, Harding, Harlan, Harvey, Hetfield, Huddleston, Hull, Hunt, Kennard, Lichteberger, Little, Lockwood, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Williams of Madison, Winstandley, and Mr. Speaker—59.

So said vote was not reconsidered.

On motion by Mr. Lane,

The rules were suspended, and the following message from the Senate, by Mr. Test, their Secretary, was taken up:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed preamble and joint resolution, to-wit:

No. 311. Preamble and joint resolution in relation to the flag of the Second Indiana Regiment ;

In which the concurrence of the House is respectfully requested.

Said joint resolution was read a first and second time, the rules being suspended therefor, when

Mr. Lane offered the following amendment :

Strike out "Friday the 11th inst.," and insert "Saturday the 12th inst."

Which was adopted, and,

Said joint resolution was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Hull,

The rules were suspended, and,

The following message was received from the Senate by Mr. Test their secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House and accepted the invitation of the House to attend in the Hall of Representatives on the occasion of receiving the colors borne by the late third Regiment in the memorable battle of Buena Vista, to be presented to the State by Captain Thomas L. Sullivan, in behalf of that gallant Regiment, at 2 o'clock P. M. on Saturday next, with an amendment, which is to strike out "2 o'clock P. M." and insert "3 o'clock P. M."

In which amendment the House concurred.

On motion by Mr. Jones of S.,

The House resolved itself in a committee of the whole on House bill

No. 367. A bill to raise revenue for State purposes for the year 1848 ;

With Mr. McDonald of L., in the chair.

After some time spent therein the committee rose, and Mr. McDonald of L., their chairman, reported that according to order, they had had the same under consideration, and instructed him to report the same back to the House without amendments thereto; and the committee ask to be discharged from the further consideration of the subject.

Which request was granted, and

And said bill was considered as engrossed, and read a third time, the rules beng suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted, Mr. Dobson offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the expediency of providing in the specific appropriation bill for the payment of the following claims ;

Expenses of Stephen H. Taylor six days going to Terre Haute to summon witnesses before the select committee on petition of James Gallety et al., \$13 00.

Expenses of William H. Anderson seven days going to Spencer and Bloomington, to summon witnesses in the above case. \$13 30.

Expenses of David Leech five days going to Spencer to summon witnesses in the above case, \$8 75.

Resolved, That the above named *persons* be allowed by said committee one dollar per day in addition to their *per diem* allowance ; and that the resolution allowing Stephen H. Taylor five dollars per day, be and the same is hereby rescinded.

Which was adopted.

Mr. Harlan on leave granted, introduced

No. 479. A bill authorizing the treasurer of State to pay to Justus C. Alvord, Homer King, and Archibald T. French, certain moneys ;

Which was read three several times, the rules being suspended therefor and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Little,

The following message from the Senate by Mr. Test their Secretary was taken up :

MR. SPEAKER :

I am directed to inform the House of Representatives that the Senate has passed engrossed bill thereof No. 320, entitled an act to amend an act entitled an act to incorporate the Junction railroad company ;

In which the concurrence of the House is respectfully requested.

Said bill No. 320, in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Lane, on leave granted, offered the following resolution :

Resolved, That the House will, the Senate concurring therein, adjourn *sine die* on Thursday the 17th of February ;

Mr. Jones of Switzerland moved to amend said resolution by

striking out the the words "Thursday the 17th," and insert "Monday the 14th."

Which motion did not prevail.

Mr. Harvey moved to amend said resolution by striking out "Thursday the 17," and insert "Wednesday the 16th;"

Which motion did not prevail.

The question being "shall the resolution be adopted?"

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate, by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House of Representatives to the engrossed bill of the Senate No. 141, entitled an act regulating the granting of license to retail spirituous liquors in the counties of Gibson and Posey ;

Mr. Line, on leave granted, made the following report :

MR. SPEAKER :

The committee to whom was referred House bill No. 422, entitled an act in relation to that portion of the northern division of the central canal which lies between Broad Ripple in Marion county and Waverly in Morgan county, have had the same under consideration and report the same back to this House without amendment, and recommend its passage ;

Said bill was considered as engrossed, read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On leave granted,

Mr. Jones of Switzerland from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of William Wilkie, have had the same under consideration and have directed me to report the following bill, and recommend its passage ;

No. 480. A bill for the relief of certain persons therein named,

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dunham, on leave granted, introduced

No. 481. A bill making general appropriations for the year 1848 ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed for a third reading.

Mr. Kinney, on leave granted, introduced

No. 482. A bill to authorize the commissioners of Vigo county, to procure a seal for the probate court ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stanton, on leave granted, made the following report :

MR. SPEAKER :

The committee of ways and means to whom was referred House bill No. 230, have examined said bill, and find that its provisions are already the law of the State, they therefore report said bill back to the House, and recommend that it be indefinitely postponed;

In which report the House refused to concur.

No. 230. A bill to authorize county auditors and treasurers to make set-offs in certain cases ;

Mr. Wolfe moved to amend said bill so as to "make it a special law for Sullivan county."

Which was adopted.

And said bill was considered as engrossed, read a third time, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

ORDERS OF THE DAY.

The following message was received from the Senate by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with the following amendments, to-wit :

No. 127. An act to incorporate the Princeton Female Academy;

No. 129. An act to repeal a certain act therein named ;

In which amendments the concurrence of the House is respectfully requested ;

Which amendments were concurred in by the House.

The following message was received from the Senate, by Mr. Winchell, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 117. An act to repeal all laws requiring certain process and other instruments of writing to be sealed with a seal of wax, wafer, or ink scrawl ;

In which the concurrence of the House is respectfully requested.

Said bill in said message was read a first time and ordered to a second reading.

The following message was received from the Senate by Mr. Murphy, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof; to-wit :

No. 175. An act to incorporate the New Castle and Richmond Railroad Company ;

No. 176. An act to incorporate the New Castle and Knightstown Railroad Company ;

In which the concurrence of the House is respectfully requested.

No. 175, in said message mentioned,

Was read a first and second times—the rules being suspended therefor—when,

Mr. Gordon moved to amend said bill as follows :

“ That the work on said railroad shall be commenced within three years after the passage of this act, and completed within five years thereafter ;

Which was adopted.

And said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 176, in said message mentioned,

Was then read a first and second times, the rules being suspended therefor, when,

Mr. Coffin moved to amend said bill as follows :

Sec. —. The work on said road shall be commenced within three years from the passage of this act and be completed within five years thereafter ;

And said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secetary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 2. An act to incorporate the Richmond University ;

No. 82. An act to vacate a portion of a certain State road therein named ;

No. 166. An act to incorporate the Union Literary Institute ;

No. 168. An act to explain and amend an act for the relief of the purchasers of the Saline funds in Orange county, approved January 22, 1847 ;

No. 180. An act to amend an act entitled an act to incorporate the Lafayette Insurance Company, approved February 8, 1836 ;

No. 181. An act giving additional powers to the president and trustees of the town of Lafayette, in Tippecanoe county ;

No. 182. An act to revive an act entitled an act to incorporate the Lafayette and Danville Railroad company, approved February 5, 1836 ;

No. 188. An act to legalize a survey of the city of Fort Wayne ;

No. 193. An act for the benefit of the county auditor of Grant county ;

No. 199. An act for the relief of the sureties of James H. Kitter, late school commissioner of Cass county ;

No. 202. An act to prevent the sale of spirituous liquors in the town of Rushville ;

No. 206. An act to incorporate the Steuben county Medical Society ;

In all of which the concurrence of the House is respectfully requested.

Nos. 2, 82, 166, 168, 180, 181, 182, 188, 193, 199, 202, 206, in said message mentioned,

Which were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Lane,
The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

The following message was received from the Senate, by Mr. Ellis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate, have passed the following engrossed bill, thereof, to-wit.:

No. 238. An act to incorporate the Ohio and Mississippi Telegraph Company, and for other purposes ;

In which the concurrence of the House, is respectfully requested.

Said bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Murphy, a Senator,

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills, thereof, to-wit.:

No. 74. An act to amend the ninth article, of chapter thirty, of the Revised Statutes, of 1843 ;

No. 78. An act regulating the width of roads and highways, in the counties of Vanderburg and Posey ;

No. 119. An act to extend the jurisdiction of justices of the peace, in certain criminal cases ;

No. 145. An act to provide for draining swamps and wet lands, in Cass, Pulaski, and Fulton counties.

No. 263. An act to incorporate the Demosthenean Literary Society, of Franklin College ;

No. 264. An act to incorporate the Lyceum of Wabash College ;
In which the concurrence of the House is respectfully requested.

No. 74, in said message mentioned, was read a first time and ordered to be read a second time ;

No. 78, in said message mentioned ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 145, in said message mentioned ;

Was read a first and second times, the rules being suspended therefor, when,

Mr. Blythe moved to amend said bill, by inserting Vanderburg, in the provisions of the bill ;

Which was adopted.

Said bill was then read a third time, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

^{THE} Nos. 263—264, in said message mentioned, were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Holloway, a Senator,

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed bill, thereof, to-wit.:

No. 203. An act to incorporate the Richmond and Hagerstown Turnpike company ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary,

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills and joint resolutions thereof, to-wit.:

No. 147. An act to change the name of Granville, in Tippecanoe county ;

No. 149. An act for the relief of the members of the Wabash Fire Company, in Lafayette ;

No. 150. An act to incorporate the Tippecanoe Guards, in Tippecanoe county ;

No. 151. An act to amend an act, to incorporate the city of Jeffersonville, approved January 27th, 1847 ;

No. 153. An act to amend an act, entitled "an act, to provide for a free Turnpike company, in Steuben county ;"

No. 154. An act to incorporate the Huntington, Whitley, and Kosciusko Turnpike Company ;

No. 155. An act to change the time of holding the Franklin probate court ;

No. 157. An act to provide for summoning petit jurors, in the county of Johnson ;

No. 159. An act for the relief of Joseph E. Moore ;

No. 160. A joint resolution relative to a marsh and wet tract of land, in the counties of Jay and Adams ;

No. 161. An act to amend the 14th section, of article one, of chapter 14th, of the Revised Statutes, of 1843 ;

No. 162. An act to revive and amend an act, entitled "an act, to incorporate the Perrysville and Danville Railroad Company," approved, January 26th, 1836 ; and an act entitled an act, to amend an act, entitled "an act, to incorporate the Perrysville and Danville Railroad Company," approved, February 13th, 1840 ;

No. 163. An act to amend an act, entitled "an act, to authorise the Superintendent of the Wabash and Erie canal, to pay equitable claims as counties and individuals may have for surveying and locating the canal, from Tippecanoe to Terre Haute, approved, January 25th, A. D. 1847 ;

No. 164. An act prescribing the duties of petitioners for the incorporation of towns and villages ;

No. 169. An act authorizing the commissioners of Lagrange county to increase the salary of the probate judge of said county ;

No. 172. A joint resolution on the subject of reducing the price of our public lands ;

No. 174. An act to revive an act entitled an act to authorize the location and establishment of a State road from Salem, in Washington county, by Lawrenceport, on White river, to Bedford, in Lawrence county, approved January 21st, 1847 ;

No. 179. An act to authorize the commissioners of Tippecanoe county to pay for the erection of a bridge across the canal at Green street, in Lafayette ;

No. 295. An act to provide for the taxing of estates in dower ;

No. 209. An act in relation to certain school lands in Floyd county ;

No. 210. An act in relation to the law prohibiting the Indians from selling land in this State ;

In all of which the concurrence of the House is respectfully requested.

The Senate have also passed the following engrossed bills of the House without amendment, to-wit :

No. 10. An act to change the terms of the Daviess probate court ;

No. 60. An act to incorporate the Madison and Brownstown

Turnpike Company, by way of Kent, in the county of Jefferson, Whooster, in the county of Scott ;

No. 63. An act extending the terms of the probate court of Madison county ;

No. 66. An act to abolish the office of school commissioner of Floyd county, and for other purposes ;

No. 67. An act to incorporate the Attica and Warren county Bridge Company.

The Senate have also passed the following engrossed bill of the House with sundry amendments, to-wit :

No. 145. An act for the relief of tax payers in certain counties therein named ;

In all of which amendments the concurrence of the House is respectfully requested.

Nos. 147, 149, 148, 150, 151, 153, 154, 155, 156, 157, 158, 160, 161, 162, 169, 172, 174, 179, 195, 209, 220, in said message mentioned,

Were each severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 163, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and ordered to be engrossed for a third reading.

No. 164, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and,

On motion,

Was laid on the table.

No. 145. An act (House) for the relief of tax payers in certain counties therein named,

In said message mentioned,

Said amendments were read and concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, to-wit :

No. 20. An act declaring a misprint in an act to amend the practice in the probate court, approved January 28, 1847 ;

No. 21. An act to authorize the Dearborn probate court to make certain orders and decrees therein named ;

No. 30. A joint resolution in relation to increasing the clothing pay of non-commissioned and privates belonging to our armies in Mexico ;

No. 31. An act in relative to probate judges in the county of Porter ;

No. 43. An act for the relief of Dorothy Owens and others ;

No. 150. An act incorporate the Clay Cotton Mills ;

No. 284. A joint resolution of thanks to Captain John S. Simonson and Captain Lemuel Ford.

A message from the Senate by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 140. An act to incorporate the Portland and Ohio Railroad Company ;

No. 177. An act to amend the act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette," approved January 19, A.D., 1846 ;

No. 178. An act fixing the corporate limits of the town of Lafayette ;

No. 184. An act for the relief of certain persons therein named ;

No. 197. An act to amend article eight of chapter thirteen, of the Revised Statutes of 1843, in relation to the surplus revenue fund ;

No. 198. An act to authorize the board of county commissioners of Jay county to borrow money ;

No. 204. An act for the relief of certain persons therein named in the county of Monroe ;

No. 207. An act to incorporate the Wild Cat Turnpike Company ;

No. 272. An act relative to the city of Indianapolis, in Marion county, Indiana ;

No. 276. An act to amend an act therein named ;

No. 278. An act to incorporate the trustees of the Owensville Public House ;

In which the concurrence of the House is respectfully requested.

Nos. 140, 184, 198, 204, 207, 276, 278, in said message mentioned, Which were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 177, in said message mentioned,

Was read a first time and ordered to a second reading.

No. 178, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Smiley,

Referred to a select committee of Messrs Smiley, Armstrong, and Hankins.

No. 197, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and,

On motion,

Laid on the table.

No. 272, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, when

Mr. Orton moved to amend said bill as follows :

Amend by excepting from the operation of the bill so much of New York and Market streets as lie east of Noble street, being that part of said streets that lie within the limits of the farm of the late Governor Noble.

Mr. Lane moved to amend the amendment by adding as follows:

And said corporation of the city of Indianapolis, shall pay for any buildings that may necessarily be injured or removed on account of opening any of said streets or alleys, where said improvement was made without the knowledge of said street or alley being so situated :

Which was adopted.

The question then being "shall the bill as amended be engrossed for a third reading?"

The ayes and noes being demanded by Messrs. Lane and Brown:

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Bowling, Bryant, Campbell, Carr, Coble, Coffin, Cole, Commons, Cookerly, Davis, De Bruler, Dougherty, Doyle, Dunham, Ford, Fuller, Graham, Hamilton, Hankins, Harlan, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of Switzerland, Lane, Lichteberger, Line, Little, Lowe, McConnell, McCormick, McDonald of Adams, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Neal, Nimmons, Norris, Orton, Parker, Prather, Sackett, Shryock, Smiley, Stanton, Sullivan, Swihart, Thompson of Carroll, Thompson of Gibson, Trimby, Williams of Knox, and Wolfe—59.

Those who voted in the negative are,

Messrs. Blackstone, Blythe, Brown, Dimmett, Goodman, Lockwood, Major, Orr, Slater, Stone, Williams of Madison and Mr. Speaker—12

So said bill was ordered to be engrossed, and,

On motion by Mr. Kinney,
Was laid upon the table.

The following message was received from his Excellency the Governor, by Mr. Sleeth his private Secretary :

MR. SPEAKER :

I am directed by his Excellency the Governor to inform the House of Representatives that he did on this day approve and sign the following bills, *to-wit* :

No. 13. An act to extend the time for the final payment, for certain school lands in Miami county, and for other purposes :

No. 283. An act to incorporate the Council Grove Minute Men; Both of which originated in the House of Representatives.

February 11th 1848.

On motion by Mr. Dunham,

The following message from the Senate, by Mr. Davis, a Senator was taken :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following enrolled bill of the Senate, the objections of the Governor to the contrary notwithstanding ;

No. 27. An act for the benefit of the New Albany and Salem railroad company ;

And have directed me to bring said bill and the objections of the Governor, to the House for its consideration.

The following is the message of the Governor, containing his reasons for withholding his signature from said bill :

To the Senate :

GENTLEMEN :—I herewith return bill No. 27, which originated in your body, entitled "An act for the benefit of the New Albany railroad company," with the objections which have prevented me from giving it my official approval.

The construction of railroads, with the proper restrictions and guards, so as to protect the rights of the great mass of the community, is not only of general advantage, but it marks an era in the affairs of the country. The inducements are too great, for any doubt but that they will be constructed as soon, in reference to general interests, as may be necessary.

I have already given my reasons, to some extent, why the construction of such works should be left exclusively to individual enterprise. I will now merely say, that our only security to avoid

another stupendous State debt, which, from the absence of any further means to arrange or satisfy it, must crush us, is to resolutely abstain from engaging the means of the State, presently or remotely, directly or indirectly, to assist any private company or any one work whatsoever. Whenever one instance of that kind takes place it lays the foundation for a like claim in behalf of other companies. Combinations of different sections of the State, or of different companies, would inevitably take place, until, as the final result, the already overburdened State would be hopelessly involved. It was from a similar beginning that the illstarred mammoth system of 1835-6 took its rise, and it behooves us to learn wisdom from experience.

The first section of the present bill releases to the New Albany railroad company all right of redemption of the road on the part of the State. That right was secured to the State at the time she passed over her public works to private companies, by the act of January 28, 1842. By the 64th section of that act it is provided that the State, through her legislature, may redeem any work after twenty years, by refunding to the company completing it, the full amount by them expended upon it, with interest thereon at the rate of six per cent. per annum, first deducting from such interest the nett amount of revenue received by the company. No one could pretend, at the time, that such provision was not sufficiently liberal. The State had expended upon the original work above \$370,000, of which the far greater part—I have not the means at hand of knowing how much, but it is supposed at least \$300,000—was expended upon that part of it occupied by the present company's charter. And the only thing left to the State for all this expenditure, was the privilege of redemption at the end of twenty years; and even this is now sought to be taken from her for the benefit of the company. I am aware it is said that it will not be redeemed, that the State gives away but little by this provision. But if the State gives away but little, the company receives but little, and would not be prevented from investing their capital without it. Other charters have been eagerly sought after and granted, for such works, at the present session, where the State has expended no money. The present company will be benefited by the State's expenditure upon this work; ought they to receive a benefit not accorded to other companies, for nothing? If it should be considered bad policy for the State to redeem the work hereafter, she should at least have it in her power to *sell* the right of redemption to the stockholders.

By this means something may be got by which to help pay off our State debt, of which this same \$300,000 is a part. The people are now taxed to pay that very debt, and they are now asked to surrender this last vestige of the expenditure to a company, and for nothing.

But above all, the objection consists in the principle involved, of granting any thing of labor or of money, or of the fruits of it, to aid any company in any work like the present, without reference to the

value of the grant. The same objection was made by me to the bill of this session for the relief of the White Water Vally canal company, and I can make no distinction between different parts of the same State in reference to such favors. The principle is pregnant with danger and peril to the best interests of Indiana, and as such I feel bound within my limited sphere to resist it.

The bill is returned at the earliest practicable moment allowed by the pressing duties of the close of the session, in order that the General Assembly may have time to act in the premises according to their sense of duty.

JAMES WHITCOMB.

February 11, 1848.

Mr. Winstandley moved a call of the House,
Which was seconded.

After some time spent therein,

On motion by Mr. McDonald of Lake,

The further call of the House was dispensed with.

The question being,

"Shall said bill become a law notwithstanding the objections of the Governor?"

The ayes and noes being called,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Bowling, Brown, Bryant, Campbell, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Kinney, Line, Little, Lowe, May, McCormick, McDonald of Lake, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Parker, Prather, Richmond, Roache, Sackett, Short, Smiley, Stanton, Stone, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Knox, Williams of Madison, Winstandley, and Mr. Speaker—62.

Those who voted in the negative are,

Messrs. Blackstone, Carr, Dimmett, Goodman, Hall, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lichteberger, Major, McConnell, McDonald of Adams, McKinzie, Mills, Neal, Norris, Shryock, Slater, Sullivan, Tinbrook, Trimble, and Wolfe—22.

So said bill becomes a law notwithstanding the objections of the Governor.

Ordered, That the Clerk inform the Senate thereof.

The following message from the Governor was also taken up :

To the House of Representatives :

GENTLEMEN :—I return herewith a bill which originated in your body, entitled “An act to vacate an alley in Cambridge City,” with the reasons which have impelled me to withhold from it my signature of approval.

Ample provision is already made by a general law, (article 2, chapter 24, Revised Statutes,) to accomplish the object of this bill on application to the authorities of an incorporated town, or to the board of county commissioners, as to an unincorporated town, or one, the corporate powers of which have fallen into disuse.

By the adoption of that course notice must be given, and there is the less fear of doing injustice to individuals. As an illustration—at the last session an act was passed vacating a certain street and alley in the town of Bloomington, (Local Laws, p. 269,) and at the present session a bill has already been passed repealing it.

I need not repeat the many reasons against special legislation. Its concomitants and results are too well known, it is hoped, not to be deprecated. And as by the fortunate existence of a general law there is no necessity for passing a special act in this instance, no mode of obviating the evil suggests itself but that now adopted.

JAMES WHITCOMB.

February 11th, 1848.

The question then being,

“Shall the bill become a law notwithstanding the objections of the Governor?”

And the ayes and noes being called,

Those who voted in the affirmative are.

Messrs. Albin, Baldwin, Blackstone, Blythe, Bowling, Brown, Bryant, Coble, Coffin, Cole, Commons, Criswell, Davis, De Bruler, Dougherty, Dunham, Fuller, Gordon, Graham, Hamilton, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Kinney, Lane, Lichteberger, Line, Little, May, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Morrison, Nimmons, Orr, Orten, Parker, Prather, Richmond, Sackett, Smiley, Stanton, Stone, Swihart, Thompson of Carroll, Winstandley, and Mr. Speaker—54.

Those who voted in the negative are,

Messrs. Armstrong, Carr, Cookerly, Dimmett, Ford, Goodman, Hall, Harlan, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Major, McConnell, McDonald of Adams, Neal, Norris, Short, Shryock, Slater, Sullivan, Tinbrook, Williams of Knox, and Wolfe—24.

So said bill became a law, notwithstanding the objections of the Governor.

Ordered, That the Clerk inform the Senate thereof.

Mr. Goodman, on leave granted, introduced,

No. 483. A bill to revive an act for the location of a State road in the counties of Dubois and Martin ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Line, on leave granted, introduced,

No. 484. A bill to incorporate the Fairfield Hydraulic manufacturing company ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Major, on leave granted, introduced,

No. 485. A bill to repeal a part of section 90, article 3, chapter 16, of Revised Statutes of 1843, so far as relates to Shelby county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bowling, on leave granted, introduced,

No. 486. A bill to locate a State road in Clay and Parke counties ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments, to wit :

No. 29. An act granting additional compensation to the Probate Judge of St. Joseph county ;

No. 37. An act to incorporate the Connerville Hotel Company ;

No. 47. An act to provide for electing supervisors by districts in the counties of Miami and Montgomery ;

No. 57. An act to incorporate the Brownstown and Scipio Railroad company ;

In which amendments the concurrence of the House is respectfully requested.

The engrossed amendments of the Senate to said bill No. 29, were concurred in.

The engrossed amendments of the Senate to said bill No. 37, were, with the bill, referred to the committee on corporations.

The engrossed amendments of the Senate to said bills Nos. 47 and 57 were concurred in by the House.

Ordered, That the Senate be informed thereof.

The following message was received from the Senate by Mr. Robinson, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 214. An act to incorporate the Mooresville Branch Railroad Company ;

No. 236. An act to aid in the settlement of the estate of John Simes, deceased ;

In which the concurrence of the House is respectfully requested.

Said bills Nos. 214 and 236, were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Orth, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit :

No. 221. A bill for the relief of widows and orphans ;

In which the concurrence of the House is respectfully requested.

Said bill No. 221, was read three several times, the rules being suspended therefor, and passed.

Ordered That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Barbour, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 244. An act to extend the February term of the probate court for Bartholomew county ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 244, was then read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

The following message was received from the Senate by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 244. An act prescribing the manner of assessing and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Railroad Company ;

No. 283. An act to amend an act, entitled " An act declaratory of an act to amend an act, entitled ' An act authorizing Joseph Dunn and James Norvill to erect toll bridges,' " approved January 19th, 1836 ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 244, in said message mentioned, was read a first and second times, the rules being suspended therefor, and ordered to a third reading.

Bill, No. 283, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Also the following message by Mr. Holloway :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with one amendment, to-wit :

No. 28. An act declaring a certain word in section 43, chapter —, of the Revised Statutes of 1843, a misprint ;

In which amendment the concurrence of the House is respectfully requested.

The engrossed amendments of the Senate to said bill, No. 28, was concurred in.

Ordered, That the Clerk inform the Senate thereof.

Also the following message by Mr. Holloway :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 211. An act for the relief of John S. Watts ;

No. 271. An act to revive and amend an act, entitled " An act to incorporate the Crawfordsville and Wabash Railroad Company."

In which the concurrence of the House is respectfully requested.

Said bills, in said message mentioned, Nos. 211 and 271, were read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Also the following message from the Senate by Mr. Davis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 298. An act in relation to the New Albany and Salem Railroad Company ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 298, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Also the following message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments, to-wit :

No. 27. An act authorizing the re-valuation of lands in Monroe and Irvin townships, Howard county ;

No. 81. An act to regulate agencies of Foreign Insurance Companies :

In which amendments the concurrence of the House is respectfully requested.

The engrossed amendments of the Senate, to said bills, Nos. 27 and 81, were concurred in.

Ordered, That the Clerk inform the Senate thereof.

Also, the following message from the Senate, by Mr. Ellis, a Senator:

MR. SPEAKER :

I am instructed by the Senate, to inform the House of Representatives, that they have passed the following joint resolutions, thereof, to-wit.:

No. 304. A joint resolution relative to International Literary exchanges ;

In which the concurrence of the House, is respectfully requested.

Said joint resolution, No. 304, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Also, the following message from the Senate, by Mr. Robinson, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof, to-wit.:

No. 270. An act to incorporate the Cincinnati and St. Louis Railroad Company ;

No. 293. An act to incorporate the town of Patriot, in Switzerland county ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 270, was read a first and second times, the rules being suspended therefor, when,

Mr. Lane moved to refer it to the committee on corporations ;

Which did not prevail.

Said bill was ordered to a third reading, on to-morrow.

Said bill, No. 293, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Also, the following message from the Senate, by Mr. Walpole, a Senator :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representa-

tives, that the Senate have refused to concur in the 9th amendment of the House, to the engrossed bill of the Senate, No. 39, entitled "an act to incorporate the Indianapolis and Bellefontaine Railroad Company;" and the Senate have concurred in the 2d amendment of the House, to said bill, with an amendment;

In which amendment of the Senate, to the amendment of the House, to said bill, the concurrence of the House, is respectfully requested.

On motion by Mr. Lane,
The House receded from the first amendment to said bill, No. 39.

Ordered, That the Clerk inform the Senate thereof.

Also, the following message from the Senate, by Mr. Holloway, a Senator:

MR. SPEAKER:

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof, to-wit.:

No. 98. An act for the relief of the heirs of John Widney;

No. 157. An act to amend the second article, of the thirteenth chapter of the Revised Statutes, of 1843, concerning the probate of Wills and Testaments;

No. 170. An act to regulate proceedings in the action of waste;

No. 299. An act to authorize the county commissioners of Adams county, to employ a prosecuting attorney;

In which the concurrence of the House is respectfully requested.

Said bills, Nos. 299 and 98, were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 157, was read a first and second times, the rules being suspended therefor, and referred to a select committee, of Messrs. Kinney, Jones of Switzerland, and Hunt;

No. 170, was read a first time, and ordered to a second reading.

On motion by Mr. Dunham,

The House adjourned until to-morrow morning, at 9 o'clock.

SATURDAY MORNING, FEBRUARY 12th, 1843.

The House met.

Mr. Cookerly asked and obtained leave of absence for Mr. Bowling, for the remainder of the session.

A message from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, to-wit :

No. 136. An act for the relief of Simon and John Bottorff ;

No. 163. An act for the election of township assessors and township collectors in Jennings county, and for other purposes ;

No. 219. An act to repeal an act entitled an act defining the duties of county treasurers, passed January 13, 1845 ;

No. 291. An act to authorize the voters of certain townships to sell their school lands ;

No. 455. An act to legalize a certain act of the board of commissioners of Madison county.

Mr. Nimmons made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills and find them truly enrolled :

No. 309. An act defining the duties of the county treasurer of Shelby county ;

No. 352. An act to incorporate the Lafayette, Montecello and Michigan City Railroad Company ;

No. 311. An act providing for the procuring of additional copies of the Revised Statutes of 1843, in the county of Kosciusko ;

No. 356. A joint resolution relative to the Indiana Historical Society ;

No. 312. An act in relation to the duties of Auditor of State and commissioner of sinking fund ;

No. 223. An act to amend an act entitled an act to provide for the construction of a Railroad from Martinsville, in Morgan county, to Franklin, in Johnson county ;

No. 298. A joint resolution of sympathy with Pope Pius, IX., for his efforts in behalf of liberal reform in his dominions ;

No. 335. A bill to extend the provisions of a certain act therein named to the counties of Jay and Blackford ;

No. 307. An act concerning the duties of clerks of the circuit courts in this State ;

No. 306. An act to legalize the acts of the probate judge of Lagrange county ;

No. 350. A bill forming section 4, 5, 6, 7, 8, 9, 16, 17, and 18, in town 14, north of range 6 east, into one school district ;

No. 55. An act for the relief of Collins Adams, of St. Joseph county ;

No. 453. An act to revive the act entitled an act to authorize

certain individuals therein named to build a bridge across the Kankakee river, at Sherwood Ferry, in Porter county ;

No. 340. An act declaring George W. Bower, Esq., successor in office to William Dehority, late justice of the peace in Madison county, Indiana ;

No. 357. A joint resolution on the subject of the laws of Indiana Territory for the years 1801, 1802, 1803, and 1804 ;

No. 344. A bill for the more speedy completion of a portion of the Indiana Hospital for the Insane ;

No. 359. An act to establish an additional place of holding elections in Hilt township, Vermillion county ;

No. 147. An act to incorporate the Madison, Lexington and Brownstown Turnpike Company ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Prather moved to reconsider the vote on the engrossment of House bill

No. 44. A bill relative to elections in Jackson county ;

Which motion prevailed.

The question them being,

"Shall the bill be engrossed for a third reading?"

The ayes and noes being demanded by Messrs. Dimmett and Neal ;

Those who voted in the affirmative are,

Messrs. Albin, Blackstone, Blythe, Bryant, Carr, Coble, Commons, Cookerly, Criswell, Davis, Dobson, Dougherty, Doyle, Dunham, Ford, Fuller, Graham, Hall, Hankins, Harvey, Holden, Hull, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Lowe, May, McDonald of Lake, McKinzie, Mills, Neal, Norris, Orr, Orton, Parker, Richmond, Roache, Sackett, Short, Shryock, Smiley, Sullivan, Swihart, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Madison, Winstandley, and Wolfe—54.

Those who voted in the negative are,

Messrs. Campbell, Cole, Dimmett, Frazer, Harlan, Huddleston, Hunt, Major, McConnell, McCormick, Rulon, Stone, and Williams of Knox—13.

So said bill was ordered to be engrossed for a third reading.

On motion,

The rules were suspended and said bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. McCormick moved to take up Senate bill

No. 177. A bill to amend the act to provide for the continuation of the Madison and Indianapolis Railroad to Lafayette, approved January 19th, A.D., 1846 ;

Which motion prevailed, and,

Said bill was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cookerly, on leave granted, offered the following resolution :

Resolved, That the unanimous thanks of the members of this House are due, and they are hereby tendered to the Hon. William A. Porter, for the able and impartial manner in which he has presided over our deliberations ;

Which was adopted.

Mr. Cole, from a select committee, on leave granted, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of a large number of citizens of Miami and Wabash counties, praying for the removal of the canal land office to for the sale of the Wabash and Erie canal lands east of Tippecanoe, from Logansport back to Peru, where it was located by the Revised Statutes of 1843, have had the subject under consideration, and have directed me to report that they have given careful attention to that section of the Revised Statutes of 1843, by which the said land office was located at Peru, as mentioned in said petition, as well as the laws of 1846 and 1847, under which the trustees of said canal claimed the right to remove the same.

It is provided by section 210, chapter 13, of the Revised Statutes of 1843 that "the office for the sale of lands belonging to the Wabash and Erie Canal above the mouth of Tippecanoe river shall be continued at Peru under the charge and direction of the commissioner of said line."

In the fall of 1844, after the taking effect of the Revised Statutes, large quantities of land, the most of which was in the immediate vicinity of this land office, was there offered and sold ; and under this law the purchasers expected to pay their interest and the balances of purchase money at Peru.

Your committee believe that the legal principle is not questioned that every contract is presumed to have been made with reference to the law existing at the time it was entered into, and that so far as the rights of the parties are concerned, it enters into and forms a part of the contract ; and that the place of payment under the law

which provided that the land office should "*be continued at Peru,*" was as much a part of the contract as the price at which the land was sold, or the period at which payment was to be made.

If the right exists to remove this land office at all, it may be removed to the most distant part of the State; which would not only impose burdens upon individuals in making payments for lands which were not anticipated at the time the same were purchased, but would be a manifest violation of both the letter and the spirit of the law.

The committee is aware that the right to remove said land office is claimed by the trustees of the Wabash and Erie Canal under the 30th section of "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19, 1846; and the act supplementary thereto approved January 27, 1847. That section of the law as amended by the said supplementary act, is in the following words:

"Said trustees shall establish at least one land office for the sale of said canal lands at some convenient point in this State, *and also an office* for the transaction of all business connected with said trust, and said trustees shall also establish two or more land offices at convenient points in this State."

This provision of the law contemplates the *establishment* of land offices for the *sale of lands*, but the Legislature seems very wisely to have invested in the trustees no power to *remove* the land office previously established and thereby interfere with the vested rights of the citizens of the State.

The committee would further state that the section of the Revised Statutes above referred to, has *not been repealed* by any positive enactment of the Legislature, nor is there any provision in the laws of 1846 or 1847 which is so repugnant that both could not exist in full force, and they therefore conclude that the removal of said land office from Peru was not warranted by law, and have directed me to submit the following joint resolution and to recommend its passage:

No. 487. A joint resolution to remove the Canal Land Office from Logansport to Peru;

Which was read a first time and ordered to a second reading.

Mr. Bryant, from a select committee, on leave granted, made the following report:

MR. SPEAKER :

The select committee to which was referred the subject of fees and salaries, beg leave to report the accompanying bill, and recommend its passage:

No. 488. A bill regulating the fees and salaries of the several officers and persons therein named;

Which was read a first and second times, the rules being suspended therefor, when

Mr. Shryock moved to strike out the counties of Fulton and Marshall from the provisions of the bill;

Pending which,

On motion by Mr. Kinney,

Said bill and amendment were laid upon the table.

The following message from His Excellency the Governor was received, by Mr. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on yesterday approve and sign the following bills, to-wit :

No. 16. An act to amend an act compelling speculators to pay a road tax equal to that paid by actual settlers ;

No. 61. An act to authorize the trustees of school district number five, in township thirty-seven, north of range three east, in St. Joseph county, to levy a tax to finish a school-house ;

No. 71. An act to amend the 22d section of an act of the Revised Statutes entitled "An act for the relief of the poor ;"

No. 68. An act leaving it discretionary with the board of commissioners of Delaware county what compensation they shall allow supervisors of roads for making their returns ;

No. 75. An act relating to road tax in Perry county ;

No. 83. An act for the relief of James Narden, of Warrick county ;

No. 113. An act authorizing the location of a State road in Posey county ;

No. 115. An act regulating the salary of the auditor of Putnam county ;

No. 127. An act to amend an act entitled "An act to reduce the tolls on the New Albany and Vincennes road, and other purposes;"

No. 131. An act to change the name of Ebenezer Barker Twitchel ;

No. 132. An act for the relief of Mary M. Goodrich ;

No. 139. An act to amend an act entitled "An act to repeal an act more effectually to enable supervisors to open and keep in repair public highways," approved January 27, 1847 ;

No. 141. An act in relation to the tax duplicate of the county of Jefferson for the year 1847 ;

No. 149. An act for the relief of Charity Forden, of Daviess county ;

No. 157. An act to locate a State road in the county of Posey ;

No. 242. An act to authorize John Secrest to build a mill-dam across the Mississinnewa river, in Grant county ;

No. 277. An act to authorize the alteration of a certain road therein named ;

All of which originated in the House of Representatives.
February 12th, 1848.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, to-wit :

No. 479. An act authorizing the Treasurer of State to pay to Justus C. Alvord, Homer King, and Archibald F. Frink, certain monies ;

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following joint resolution thereof :

No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bond holders ;

In which the concurrence of the House is respectfully requested.

Said joint resolution was read a first and second times, the rules being suspended therefor, when

Mr. Kinney moved to amend said resolution as follows :

Strike out the words "will require" and insert "shall insist."

Mr. Holden moved to amend said resolution as follows :

"*Provided*, That there will be water to supply said side cuts without interrupting the communication on the main line of the canal."

Mr. Lane moved to lay said amendment on the table ;

Which motion prevailed.

Said resolution was then read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Blythe, (the rules being suspended therefor), from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred the joint resolution of the Senate No. 80, entitled "A joint resolution requesting the Governor the State of Indiana to present a sword to Gen'l. Joseph Lane," have had the same under consideration, and have directed me to report the same back with the following amendment, and recommend its passage.

The following are the amendments proposed by said committee :
 "Amend by striking out all after the enacting clause, and insert the following :

"That the Governor of the State of Indiana be requested to procure and present to Brig. Gen. Joseph Lane, Col. James H. Lane, Col. James P. Drake, and Col. Willis A. Gorman, each a sword in testimony of the high regard, entertained by the people of said State, for their distinguished services, and the troops under their respective commands, in the existing war with Mexico, and that the amount of money expended by the Governor in the purchase of said swords, be paid out of any moneys in the treasury not otherwise appropriated ;"

Which was adopted, and

Said joint resolution was read a second time and ordered to be engrossed for a third reading.

Mr. Holden moved that the following gentlemen, to-wit, Messrs. Lane, Shryock, Frazer, Brown, Wolfe, Holden, and Richmond, be added to the committee on enrolled bills ;

Which motion prevailed.

Mr. Dougherty, on leave granted, introduced,

No. 489. A bill relative to elections in Morgan county ;

Which was read a first and second times, the rules being suspended therefor, when,

Mr. Davis moved to amend said bill by inserting Martin county in the provisions of the bill.

Mr. Dobson moved to amend said bill by inserting Owen county in the provisions of the bill ;

Pending which,

Mr. Dole moved to lay said amendments on the table ;

Which motion prevailed.

Mr. Wolfe moved to insert Sullivan county in the provisions of the bill ;

Which motion did not prevail.

The bill was then read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Frazer moved to suspend the rules to take from the table House bill,

No. 16. A bill to authorize the voters of Jefferson township, Kosciusko county, to vote at any adjoining poll in their county ;

Which motion prevailed.

Said bill was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from his Excellency the Governor, by Mr. Sleeth his private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on this day approve and sign the following bills, to-wit :

No. 142. An act to incorporate the Centerville and Abington Turnpike Company ;

No. 130. An act to legalize the acts of the president and trustees of the town of Rising Sun, in Ohio county, State of Indiana ;

No. 93. An act to amend an act entitled "an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors," approved January 28th, 1847 ;

No. 102. An act to incorporate the Liberty and Brownsville Turnpike Company ;

No. 134. An act to authorize the auditor and school commissioner of Miami county to make a deed to Jacob Brown ;

All of which originated in the House of Representatives.

February 12th, 1848.

A message from the Senate by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 183. An act to amend the law in the service and return of process ;

No. 185. An act to authorize executors, administrators, and guardians to make deeds in certain cases, and dispense with entering a deed upon the final record ;

No. 192. An act to regulate the signing of bills of exception in the circuit court ;

No. 213. An act to authorize Roderick M. Siler to relinquish certain school lands ;

No. 217. An act to incorporate the Wayne county Turnpike Company ;

No. 218. An act to incorporate the Fair View Academy, in Rush county ;

No. 219. An act to authorize the improvement of Tanners creek, in Dearborn county ;

No. 223. A joint resolution relative to a harbor at Michigan city, the harbor at St. Joseph, the St. Joseph river, and the Ohio and Mississippi rivers, and their tributaries ;

No. 224. An act to incorporate the Fort Wayne and Goshen Turnpike Company ;

No. 266. An act for the relief of Margaret Wade ;

No. 273. An act supplementary to an act entitled an act to amend an act entitled an act for the relief of purchasers of canal lands, approved January 19, 1846, approved December 28, 1846 ;

No. 285. An act for the benefit of the reserved township of Seminary land, in Monroe county ;

No. 288. An act to correct a mistake in the commission of justices of the peace in Harrison township, in Shelby county ;

No. 289. An act to authorize the county commissioners of Allen county to sell certain real estate therein specified ;

No. 301. An act to restrict the county commissioners of Steuben county in levying a tax to fifty cents on the one hundred dollars valuation ;

In which the concurrence of the House is respectfully requested ;

Nos. 183, 185, and 223, in said message mentioned, were each read a first time and ordered to a second reading.

Nos. 192, 213, 217, 218, 219, 224, 266, 273, 285, 288, 289, and 301, in said message mentioned, were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Reed, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments, to-wit :

No. 146. An act to incorporate the Indiana Canal Company ;

In which amendments the concurrence of the House is respectfully requested.

The House concurred in the amendments of the Senate to said bill, No. 146.

Ordered, That the Clerk inform the Senate thereof.

A Message from the Senate, by Mr. Montgomery, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments, to-wit :

No. 169. An act to incorporate the Jasper County Iroquois Navigation and Manufacturing Company ;

No. 257. An act incorporating the Celebration Spring Steam-Mill Company, in Franklin county ;

In which amendments the concurrence of the House is respectfully requested.

In which amendments the House concurred.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ford made the following report :

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled with the engrossed bills, and find them truly enrolled :

No. 5. An act to change the time of holding the probate courts in Clarke county ;

No. 59. An act to authorize the trustees of school district, No. 1, township 37 north, range 5 east, in Elkhart county, to raise an additional tax ;

No. 96. An act to change the venue in the case of the State of Indiana against Willis M. Miller from the county of Davis, in the tenth judicial circuit of the State of Indiana, to Greene county in the same judicial circuit ;

No. 23. An act to locate a State road in the counties of Allen and De Kalb ;

No. 74. An act regulating special elections ordered by the Governor ;

No. 36. An act to authorize the board doing county business in Orange county to dispense with a road tax ;

No. 63. An act extending the terms of the probate court of Madison county ;

No. 4. An act to amend an act, entitled " An act to establish a road on a portion of the dividing line of the counties of De Kalb and Steuben," approved January 2, 1847 ;

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals ;

No. 98. An act to incorporate the town of Peru ;

No. 66. An act to abolish the office of school commissioner of Floyd county, and for other purposes ;

No. 46. An act to fix the time of holding probate courts in the county of Putnam ;

No. 45. An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House to adjourn *sine die* on Thursday the 17th of February, with an amendment, which is to strike out the words "Thursday the 17th of February," and insert "Tuesday the 15th of February."

Mr. Kinney moved to concur in the amendment of the Senate, with the following amendment :

Strike out "Tuesday the 15th," and insert "Wednesday the 16th."

Pending which,

Mr. Lane moved to lay said resolution and amendment on the table.

On which motion,

The ayes and noes being demanded by Messrs. Lane and Neal,

Those who voted in the affirmative are,

Messrs. Bryant, Cole, Cookerly, Dole, Frazer, Gordon, Graham, Hetfield, Holden, Hull, Kinney, Lane, Lowe, McKinzie, Meredith, Mills, Norris, Orton, Prather, Richmond, Rulon, Sackett, Shryock, Terry, Thompson of Carroll, Tinbrook, Winstandley, and Wolfe
—28.

Those who voted in the negative are,

Messrs. Armstrong, Baldwin, Blackstone, Blythe, Brown, Campbell, Carr, Commons, Criswell, Davis, Dimmett, Dougherty, Doyle, Dunham, Ford, Fuller, Hankins, Harding, Harvey, Huddleston, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Lichteberger, Line, Lockwood, May, McConnell, McDonald of Adams, McDonald of Lake, Miller, Morrison, Neal, Nimmons, Orr, Short, Smiley, Stone, Sullivan, Swihart, Thompson of Gibson, Trimble, Williams of Knox, and Williams of Madison—45.

So said resolution was not laid on the table.

Mr. Jones of Switzerland moved the previous question ;

Which was seconded.

The question being,

"Shall the main question be now put?"

It was decided in the affirmative.

The main question being,

"Will the House concur in the amendment of the Senate to said resolution?"

The ayes and noes being demanded by Messrs. Dole and Neal,

Those who voted in the affirmative are,

Messrs. Armstrong, Blackstone, Brown, Carr, Commons, Cookerly, Davis, Dimmett, Dobson, Dougherty, Doyle, Dunham, Ford, Harding, Hetfield, Hddleston, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Line, Lockwood, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Miller, Morrison, Neal, Nimmons, Orr, Short, Smiley, Stone, Sullivan, Swihart, Thompson of Gibson, Tinbrook, Trimby, and Williams of Knox—41.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Bryant, Campbell, Dole, Frazer, Fuller, Gordon, Graham, Hankins, Harvey, Holden, Hull, Kinney, Lane, Lichteberger, Lowe, McKinzie, Meredith, Mills, Norris, Parker, Prather, Rulon, Sackett, Shryock, Terry, Williams of Madison, Winstandley, and Wolfe—33.

So said amendment was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. McDonald of Lake moved to reconsider the vote on concurring in the amendment of the Senate, to said resolution, and moved the previous question ;

Which motion for the previous question was seconded.

The question being, "shall the main question be now put?"

It was decided in the affirmative.

The main question being, "shall the vote be reconsidered?"

The ayes and noes being demanded by Messrs. Lane and Wolfe;

Those who voted in the affirmative are,

Messrs. Albin, Armstrong, Baldwin, Blythe, Bryant, Coble, Commons, Cookerly, Criswell, Dobson, Ford, Hankins, Harvey, Kinney, Lane McKinzie, Williams of Madison, and Winstandley—18.

Those who voted in the negative are,

Messrs. Blackstone, Brown, Carr, Davis, Dimmett, Dougherty, Doyle, Dunham, Harding, Hetfield, Huddleston, Jones of Bartholomew, Jones of Switzerland, Lichteberger, Line, Lockwood, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Meredith, Morrison, Neal, Nimmons, Orr, Rulon, Short, Smiley, Stone, Sullivan, Thompson of Gibson, Tinbrook, Trimby, and Williams of Knox—34.

There being no quorum voting, the question on the reconsideration of said vote was not decided.

Mr. Rulon moved to adjourn;
Which motion did not prevail.

Mr. Ford asked and obtained leave of absence for Mr. Williams of Madison, for the remainder of the session.

Mr. Cookerly asked and obtained leave of absence for Mr. Parker, for the remainder of the session.

On motion by Mr. Wolfe,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met.

Mr. Kinney, on leave granted, from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred bill of the Senate No. 157, have had the same under consideration and have instructed me to report it back to the House and recommend its passage ;

No. 157. A bill to amend the second article of the thirteenth chapter of the Revised Statutes of A. D. 1843, concerning the probate of wills and testaments ;

Which was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Miller from the committee on roads, on leave granted, made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the petition of sundry citizens of Delaware county, praying a change in the Hagerstown and Muncie State road, have considered the subject, and directed me to report the following bill, and recommend its passage ;

No. 490. A bill to change a state road in Delaware county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Robinson their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 256. An act to incorporate the Mount Vernon and New Harmony railroad company ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned was read three several times the rules being suspended therefor, and passed ;

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Holloway, a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the engrossed bills of the Senate entitled,

No. 145. An act to provide for draining swamps and wet lands, in Cass, Pulaski, and Fulton counties ;

No. 176. An act to incorporate the New Castle and Knightstown railroad company ;

A message from the Senate by Mr. Holloway a Senator:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit :

No. 251. An act to incorporate the Fort Wayne and Southern railroad company ;

No. 252. An act to incorporate the Harrison township, and Abbington railroad company ;

No. 253. An act giving the commissioners of the reserved township in Monroe county, a compensation for certain services therein named ;

No. 255. An act to incorporate the Cannelton Steam Mill, and Manufacturing company ;

No. 265. An act to authorize the commissioners of Daviess county to employ a physician, and for other purposes ;

No. 280. An act to authorize the construction of plank or coal roads ;

No. 281. An act to incorporate the Wabash and Greenville railroad company ;

In which the concurrence of the House is respectfully requested.

All of said bills in said message mentioned, were read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in sundry of the engrossed amendments of the House, to the engrossed bill of the Senate, No. 28, entitled an act to authorise the people of the several townships, of the several counties, to prohibit the retailing of spirituous liquors ; that the Senate have concurred with sundry of said amendments with amendments, and have refused to concur in sundry of said amendments ;

In which amendments of the Senate, to the engrossed amendment of the House, to said bill, the concurrence of the House is respectfully requested.

The House concurred in the engrossed amendments of the Senate, to the amendments of the House to said bill No. 28.

The House also receded from one of its engrossed amendments to said bill, and insists on the other engrossed amendments of the House to said bill ; when,

On motion by Mr. Norris,

Said bill and amendments were laid on the table.

A message from the Senate, by Mr. Robinson, their assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof, to-wit.:

No. 41. An act to extend the time for appraising certain lands, belonging to the Wabash and Erie canal ;

No. 75. An act to amend an act, to provide for the election of prosecuting attorneys, by the people in the several counties, approved January 27th, 1847 ;

In which the concurrence of the House is respectfully requested.

No. 41, in said message mentioned,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the clerk inform the Senate thereof.

No. 75, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and ordered to a third reading.

On motion by Mr. Harlan,

The following message from the Governor, was taken up:

TO THE HOUSE OF REPRESENTATIVES:

Gentlemen :—The bill entitled “An act, providing for the payment of certain moneys to Justus C. Alvord and Homer King,” No. 358, is herewith returned to your body, in which it originated.

It is unnecessary to mention all the objections that have presented themselves to my mind, to its becoming a law; because, upon their being frankly stated to an honorable member of the House, measures were taken which have resulted in the passage of another bill through both branches of the Legislature, as it is understood, which has made an appropriation for paying the same claim to Messrs. Alvord and King. To prevent a double payment thereof, it is necessary to return this bill without my signature.

JAMES WHITCOMB.

February 12th, 1848.

The question being, “shall the bill in said message mentioned, become a law, notwithstanding the objections of the Governor?”

The ayes and noes being called,

Those who voted in the affirmative are,

Messrs. Commons, Gordon, and Meredith—3.

Those who voted in the negative are,

Messrs. Albin, Armstrong, Baldwin, Blackstone, Blythe, Brown, Campbell, Carr, Cole, Cookerly, Criswell, Dimmett, Dobson, Dole, Dougherty, Doyle, Dunham, Ford, Frazer, Fuller, Graham, Hall, Hankins, Harding, Harlan, Harvey, Hetfield, Holden, Huddleston, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, McDonald of Adams, McDonald of Lake, Miller, Mills, Neal, Nimmons, Norris, Orton, Prather, Richmond, Roache, Rulon, Sackett, Smiley, Stone, Sullivan, Thompson of Carroll, Thompson of Gibson, Williams of Knox, Williams of Madison, Windstandley, and Wolfe—63.

So said bill does not become a law.

A message from the Senate, by Mr. Robinson, their assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof :

A bill amendatory of an act, entitled an act, to incorporate the Rushville and Lawrenceburgh Railroad company, in which the concurrence of the House is respectfully requested ;

Said bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Robinson, their assistant Clerk :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof :

No. 261. An act to amend the charter of the Milford and Columbus Railroad Company ;

In which the concurrence of the House is respectfully requested ;

Said bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Robinson, their assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with amendment, to-wit :

No. 40. An act to encourage the growth of Cranberries, in the county of Allen, and for the protection of Cranberry marshes ;

In which amendments, the concurrence of the House is respectfully requested ;

In which amendment of the Senate, in said message mentioned, The House concurred.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Berry, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit:

No. 294. An act to incorporate the town of Bloomington in Monroe county ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned, was read a first and second times, the rules being suspended therefor, and,

On motion, was laid on the table.

A message from the Senate, by Mr. Test their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolution thereof, to-wit:

No. 248. An act to locate a State road from Logansport in Cass county, to Winnemac in Pulaski county ;

No. 260. An act to authorize Thomas Hamilton to build a mill dam across the St. Joseph river ;

No. 262. An act for the relief of A. Bird ;

No. 268. An act authorizing the sale of the old Indiana State Prison ;

No. 277. An act relating to auditor's and treasurer's ;

No. 282. A joint resolution in relation to the contract entered into between the State of Indiana and her bondholders ;

No. 283. An act dissolving the bands of matrimony between David Etherton and Mary Ann Etherton ;

No. 285. An act for the benefit of the reserved townships of Seminary land in Monroe county ;

No. 227. An act in relation to water power on the Central canal ;

No. 230. An act to vacate a part of a street in the town of Bloomington ;

No. 237. An act to authorize the commissioners of Jay county to assess an additional tax ;

No. 239. An act concerning the distribution of the laws and journals in Bartholomew county ;

No. 241. An act authorizing the sale of section 16, in township number 28 north, range 8 east, in the county of Huntington ;

No. 242. An act to prevent the sale of spirituous liquors in Wayne and Franklin township in Wayne county, by less quantity than ten gallons ;

No. 245. An act relative to the collection of taxes in Bartholomew county ;

No. 258. An act to amend an act incorporating the Brookville and Connersville Turnpike Company ;

No. 275. An act extending the provisions of section 16, Revised Statutes of 1843, to the county of Lagrange ;

In which the concurrence of the House is respectfully requested.

Nos. 248, 260, 262, 263, 230, 237, 239, 241, 245, 258, 275 in said message mentioned,

Were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 277. In said message mentioned ;

Was read a first and second times, the rules being suspended therefor.

On motion by Mr. Line,

Was referred to a select committee of Messrs. Line, Graham, and Miller.

No. 283. In said message mentioned ;

Was read a first time, and,

On motion,

Was rejected.

No. 227. In said message mentioned ;

Was read a first and second times, the rules being suspended therefor, and,

On motion,

Laid on the table.

No. 242. In said message mentioned ;

Was read a first and second times, the rules being suspended therefor, when,

Mr. Meredith moved to amend said bill by adding Washington township, Wayne county, to the provisions of the bill :

Which motion prevailed, when,

Said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Orton, on leave granted, offered the following resolution :

Resolved, That the Senate be invited to attend *instantly* in the Hall of this House, for the purpose of receiving the flag of the 2d regiment of Indiana volunteers ;

Which was adopted.

The Senate then came to the Hall, and Mr. Davis, a Senator, presented to the two branches of the Legislature thus convened, on behalf of the company to which the flag originally belonged, the flag which was borne by the second regiment of the Indiana volun-

teers in the campaign in Mexico, and in the battle of Buena Vista ;
Which was received by the President of the Senate.

Capt. Thomas L. Sullivan then presented to the State of Indiana, through her Representatives thus assembled, on behalf of the third regiment of the Indiana volunteers, the flag which had been borne by said regiment throughout their campaign in Mexico, and in the same battle ;

Which was received by the Speaker of the House of Representatives.

The Senate then retired.

Mr. Hull, on leave, introduced the following joint resolution :

Which was read three several times, the rules being suspended therefor, and passed unanimously.

Ordered, That the Senate be informed thereof.

A Joint Resolution accepting the colors of the Third Regiment of Indiana Volunteers.

Be it resolved unanimously by the General Assembly of the State of Indiana, That with feelings of just pride, we receive the colors borne by the third regiment of this State, in the battle of Buena Vista. That we appreciate in the highest degree the distinguished services rendered by that gallant regiment, upon the occasion alluded to ; and while we remember that it won for itself in that blood contest the proud appellation of "*the steadfast third*," we have no hesitation in declaring that it contributed as much to the success and triumph of our arms, as any other Regiment there engaged. That this flag will be cherished by the people of Indiana, "for upon its once fair and beautiful face, is now depicted the horrors of the strife it witnessed in the service of its country. Its soiled and tattered appearance speaks for itself, and is its best history." That this once glittering banner—"the gift of beauty to honor—torn by the tempest—bleached by the sun and the sleet—tattered by the bullet shot and shell ; but, dishonored, never !" shall be preserved as a priceless memento of the heroic and glorious achievements of our patriotic and noble sons.

Be it further resolved, unanimously, That in behalf of the people of the State of Indiana, we hereby return their heart felt thanks to the Officers and Privates of the Third Regiment of Indiana Volunteers for the inestimable gift they have this day presented to their State ; and that these mutilated, but honored colors, be now deposited in the State Library, there to be carefully preserved, that our children's children may look upon them and say, "Under this ancient banner fought our heroic fathers !"

Be it further resolved, That the State Librarian be, and he is hereby empowered and requested, to procure a plate of silver to be at-

tached to the standard pole of the Third Regiment, with these words engraved upon it, — "*Third Regiment Indiana Volunteers : BUENA VISTA, 22d and 23d February, 1847.*"

Be it further resolved, That the thanks of the people of this State are hereby warmly tendered to Ensign William F. Stewart, who bravely unfurled this banner above the heads of his gallant brothers in arms at Buena Vista, and bore it triumphantly throughout that sanguinary battle-field.

Be it further resolved, That the officers and men of the First, Second, and Third Regiments of this State have, upon every occasion and throughout the time they were in their country's service, been unexcelled in devotional patriotism and heroic action; and while we especially return to them the thanks of the people of this State, we claim for them the gratitude and admiration of their countrymen.

Be it further resolved, That while we return our gratitude to the living we will not forget the honored dead; and that this General Assembly, in common with the people of Indiana, deeply mourn the loss of her brave and patriotic sons who have fallen beneath the flag of their country upon the field of battle, or by the stroke of disease in a foreign and pestilential climate; and that we hereby express our deepest sympathy with their relatives and friends.

Be it further resolved, That these joint resolutions be spread upon the journals of both Houses of this General Assembly.

On motion by Mr. Blythe,

The following joint resolution was taken up :

No. 80. A joint resolution to present a sword to Gen. Joseph Lane and others;

Which was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bryant, on leave, introduced

No. 491. A joint resolution in relation to certain canal funds;

Mr. Dunham offered the following amendment :

Insert after the words "Northport feeder-dam," "any advances made by the State on account of the Wabash and Ohio Canal."

Which was adopted.

And said bill was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Short, on leave, introduced

No. 492. A joint resolution of thanks to Elhanan Mobely;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Hull moved that the House take up joint resolution No. 362. A joint resolution demanding justice to our brave Volunteers ;

The ayes and noes were called by Messrs. Lane and Hull.

Those who voted in the affirmative are,

Messrs. Armstrong, Blythe, Bryant, Campbell, Dobson, Dunham, Ford, Hall, Hetfield, Holden, Hull, Jones of Switzerland, Kennard, Lane, Line, May, McConnell, McCormick, McDonald of Adams, Neal, Norris, Orton, Richmond, Roache, Short, Tinbrook, Trimble, Williams of Knox, Winstandley, and Wolfe—29.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blackstone, Brown, Carr, Coble, Cole, Commons, Cookerly, Criswell, Davis, Dimmett, Dole, Dougherty, Doyle, Frazer, Fuller, Gordon, Graham, Hankins, Harding, Harvey, Huddleston, Hunt, Kinney, Lockwood, McCormick, McKinzie, Meredith, Miller, Nimmons, Orr, Prather, Sackett, Smiley, Terry, Thompson of Gibson, Williams of Madison, and Mr. Speaker—39.

So said joint resolution was not taken up.

A message from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bills of the Senate entitled

No. 307. An act to amend an act entitled "An act to authorize the formation of voluntary associations," approved Jan. 27, 1847 ;

No. 309. An act for the benefit of the widow of the late William H. May; deceased ;

In which the concurrence of the House is respectfully requested.

No. 307, and 310, in said above message mentioned,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 309, in said above message mentioned,

Was read a first time and ordered to a second reading.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 215. An act in relation to the dam and water power on the central canal in Morgan county ;

No. 233. An act to incorporate the Chamberlain Mills ;

No. 246. An act to locate a State road in the countis of Adams, Allen, and Jay ;

No. 250. An act supplemental to an act to fix the time of holding courts in the eighth judicial circuit, approved January 13, 1848 ;

No. 257. An act to regulate the practice of law in the La Grange circuit court ;

No. 267. An act to authorize the sale of school section belonging to township twenty-one, north of range five west, in Tippecanoe county ;

No. 274. An act to change a certain State road in the county of St. Joseph ;

No. 284. An act to change the name of the town of Springfield in Wabash county ;

No. 292. An act to locate a State road therein named ;

In which the concurrence of the House is respectfully requested.

Nos. 215, 233, 246, 257, 274, 284, 292, in said above message mentioned,

Were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 250, in said above message mentioned,

Was read a first and second times, the rules being suspended therefor, and

On motion,

Laid on the table.

A message from the Senate, by Mr. Randall, a Senator.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 305. An act for the relief of the sureties of William Johnson ;

In which the concurrence of the House is respectfully requested.

Said bill in said above message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Robinson their Assistant Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof :

No. 290. A bill to fix the salary of the trustees of the Wabash and Erie canal ;

In which the concurrence of the House is respectfully requested.

Said bill No. 290, was read a first and second times, the rules being suspended therefor,

When the Speaker laid the following communication from the Governor before the House :

To the Speaker of the House of Representatives :

SIR :—The accompanying copy of a communication from Messrs. King, Winslow, and Perkins, Davis, Belmont, and Vermilye, who are public creditors of the State, in opposition to any reduction of the salaries of the two trustees of the Wabash and Erie Canal, appointed by the creditors, it is requested may be laid before the House, because although addressed to me, it is evidently of a public character, and is therefore properly referable to the General Assembly which has now, it is understood, that subject under consideration.

I am very respectfully,
your obedient servant,

JAMES WHITCOMB.

February 12th, 1848.

His Excellency, James Whitcomb, Governor of Indiana :

DEAR SIR :—We regret to see that a bill has been introduced into the Legislature of Indiana, to reduce the salaries of the two canal trustees below the sum fixed by the bondholders, under the authority given them by the law.

We most respectfully submit that the Legislature ought not to interfere with this subject. The bondholders have not only agreed with the State to look exclusively to the canal for one-half their debt, thus releasing the State from all obligations on account of it; but they have gone further, and agreed to advance, for the purpose of completing the canal, large additional sums of money; under these circumstances it was but right to give the bondholders the control of that work, and the right of saying what compensation

(being reasonable) should be paid to those whom they might employ to conduct the business ; and the law accordingly in our view gave them the right of fixing the salaries of the two trustees appointed by themselves. In the exercise of this right they fixed the salary of the non-resident trustee at \$4,000, and that of the resident trustee at \$2,000, not that their appointees might receive large salaries, but with a view to their own personal interests in the matter, in procuring responsible and efficient services, and paying for the same, what such services from such men would be fairly and reasonably worth. This should be viewed as a matter of the bondholders ; they are the parties immediately and deeply interested ; and they ought to be permitted to adopt and pursue such course as their own judgment shall approve not inconsistent with the end and objects of the trust. Knowing the expenses of living in this city, we speak advisedly when we say that a competent trustee who must reside in this city, four thousand dollars is by no means an unreasonable salary.

We feel that injustice would be done by a reduction of the salaries or by the interference of the Legislature in the matter, the consequence of which would be to drive from the management of the canal competent men in whom the bondholders have confidence, and the substitution of others of less ability ; for we are sure that a competent trustee in this city, cannot be expected to devote his time and attention to the trust, for less than \$4,000 per annum.

We are, sir,

Very respectfully,

Your obedient servants,

JAMES G. KING,
WINSLOW & PERKINS,
CH. AUG. DAVIS,
AUG. BELMONT,
W. M. VERMILYE.

[*Note in pencil.*—The gentlemen whose names are signed to this letter represent fully six and a half millions out of 8,000,000. of subscribed Indiana bonds.]

Which communication was,

On motion,

Laid on the table.

And said bill was referred to a select committee of Messrs. Bryant, Dunham, Kinney, and Meredith.

Mr. Lowe, on leave granted, introduced,

No. 494. A bill amendatory of the laws relating to the practice in chancery ;

Which was read a first time and ordered to a second reading.

Mr. Brown, on leave granted, introduced,

No. 495. A bill making the education of the blind in Indiana free ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hunt, on leave granted, introduced,

No. 496. A bill making the education of the deaf and dumb persons in Indiana free ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Kinney, on leave granted, introduced,

No. 497. A bill to authorize the building of a levee in Vigo county ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harvey, on leave granted, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Thomas Irons and others, praying a change in a certain State road, have had the same under consideration, and directed me to report the accompanying bill and recommend its passage ; and said committee ask to be discharged from the further consideration of the subject :

No. 498. A bill to change the location of a State road therein named ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harvey, on leave granted, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Cornelius Banta and others, praying the revival of an act incorporating the town of Belleville, in Hendricks county, with certain amendments thereto, have had the same under consideration, and directed me to report the accompanying bill and recommend its passage ; and said committee ask to be discharged from the further consideration of the subject :

No. 499. A bill to revive an act, entitled "An act to incorporate the town of Belleville, in Hendricks county," approved February 8, 1836, and to amend the same ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cookerly, on leave granted, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill, No. 228, have had the same under consideration, and have directed me to report the following bill as a substitute, and recommend its passage :

No. 228. A bill for the relief of the several recorders of this State ;

The question being,

"Shall the substitute offered by the committee be adopted?"

It was decided in the affirmative, when

On motion by Mr. Orton,

Said bill was indefinitely postponed.

Mr. Dobson, on leave granted, made the following report :

MR. SPEAKER :

The select committee to which was referred bill of the Senate, No. 94, and bills of the House, Nos. 331 and 138, with sundry proposed amendments to House bills, have, according to order, had the same under consideration, and have directed me to report them back to the House, and recommend that said House bills, Nos. 331 and 138, be laid on the table ; and to the Senate bill, No. 94, they propose the following amendments, and upon their adoption recommend its passage :

1st amendment—Strike out the words "thereunto consenting," in the 5th line of the 5th section.

2d amendment—Strike out the word "so," in the 6th line of the 5th section.

3rd amendment—Add the following section :

Sec. —. Any person requiring a county surveyor to run and establish any line or lines, or to establish or perpetuate any corner or corners, and any of the proprietors of lands adjoining such corners or lines are non-residents of the county, he shall be required to give notice in a newspaper, as is required in the 16th section of the act to which this is an amendment, but shall post up three notices, in three of the most public places in the township in which such lands are situate, at least ten days before such survey is to be made, and shall, moreover, give to resident proprietors the notice required in said section ;

Which was concurred in,

And said bills, Nos. 138 and 331, were laid on the table.
The amendments of the committee to Senate bill, No. 94, were concurred in.

Mr. Harvey moved further to amend by striking out the first section ;

Which motion prevailed, when,

On motion by Mr. Graham,

The bill was laid on the table.

On leave granted,

Mr. Cookerly offered the following resolution :

Resolved, That when this House adjourns, it will do so to meet this evening at half past six o'clock ;

Which was adopted.

On motion by Mr. Ford,

Leave of absence was granted to Mr. Neal for the remainder of the session.

On motion by Mr. Cookerly,

Leave of absence was granted to Mr. McDonald of Adams, for the remainder of the session.

On motion by Mr. Kinney,

Leave of absence was given to Mr. Terry, for the remainder of the session, from next Monday.

The following message was received from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the amendment of the House, to bill of the Senate, No. 152, with an amendment thereto, in which the concurrence of the House is requested ;

The amendment of the Senate, to the engrossed amendment of the House, to said bill, No. 152, was concurred in by the House.

Ordered, That the Senate be informed thereof.

On leave granted therefor,

Mr. Blythe, introduced,

No. 500. A bill to give additional Revised Statutes of 1843, to the county of Randolph ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

On leave granted,

Mr. Blythe, introduced,

No. 501. A bill to create a fourteenth judicial circuit ;

Which was read a first time, and ordered to a second reading, on to-morrow.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed engrossed bills of the House, without amendments, entitled,

No. 215. An act to review and amend the act, relative to the Covington draw bridge company ;

No. 291. An act to authorize the voters of certain townships to sell their school lands ;

No. 303. An act to repeal a part of an act, entitled an act, to change the time of holding the probate court in Ripley county ;

No. 316. An act amending section 453, chapter 30, of the Revised Statutes of 1844, and for other purposes ;

No. 467. An act to raise a revenue for State purposes, for the year 1848 ;

No. 388. An act to establish a horse boat ferry across the Wabash river, at the town of Williamsport ;

No. 390. An act to vacate certain lots, alleys, and streets, therein named ;

No. 392. An act to relocate a certain State road, in Clay county ;

No. 394. An act concerning a State road, therein named, in Hancock county ;

No. 395. An act to repeal an act, fixing the salary of the Auditor of Miami county, approved January 27th, 1847 ;

No. 396. An act to vacate a portion of a certain street, therein named ;

No. 397. An act to vacate a part of William street, in the town of Decatur, in the county of Adams ;

No. 398. An act to incorporate the Anderson bridge company ;

No. 399. An act to locate a State road, in the counties of Marshall, Fulton, Pulaski, and Starke ;

No. 400. An act to locate and relocate, certain State roads, in the county of Miami ;

No. 401. An act declaring certain lots in the town of Greencastle, without the corporation of said town ;

No. 403. An act to authorise additional election precincts, in Decatur county ;

No. 405. An act to repeal an act, exempting improvements on real estate from taxation, in the counties of Kosciusco and Miami, approved January 23th, 1847, so far as the county of Miami is concerned ;

No. 307. An act for the relief of persons who have made improvements on school sections in the Miami Reserve ;

No. 416. An act to vacate certain streets and Alleys in Carlisle, in St. Joseph county ;

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendments of the House, to the engrossed bill of the Senate, entitled,

No. 152. An act to amend an act, entitled an act, to incorporate the Terre Haute and Richmond Railroad company, approved January 26th, 1847 ;

With sundry amendments, in which amendments to the amendments of the House, the concurrence of the House, is respectfully requested.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed engrossed bill of the House, without amendment, entitled,

No. 44. An act relative to elections in Jackson county ;

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, without amendment, to-wit:

No. 308. An act for the relief of Thomas M. Gibson and others.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendment of the House, to the engrossed bill of the Senate, entitled,

No. 175. An act to incorporate the New Castle and Richmond Railroad company ;

A message from the Senate by Mr. Test, their, Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the engrossed bill of the House, without amendment, entitled,

No. 372. An act to authorize the construction of lines of Morse's Electro Magnetic Telegraph in the State of Indiana, and for other purposes.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bill of the House, without amendment, entitled,

No. 353. An act to incorporate the Boonville and Ohio river Railroad Company.

A message from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the engrossed bill thereof, entitled,

No. 234. An act to amend an act entitled an act to incorporate the White Water Valley Canal Company, approved January 20, 1842 ;

In which the concurrence of the House is respectfully requested.

Said bill No. 234, in the above message mentioned, was read a first and second times, the rules being suspended therefor, when,

Mr. Meredith offered the following amendment :

“Strike out all after the word ‘State,’ in the 30th line in the 1st section of the bill.

“Strike out ‘fifty,’ in the fifth section, and insert ‘one hundred;’”

Pending which,

On motion by Mr. Dunham,

The House adjourned untill 6½ o'clock, P. M.

6½ o'clock, P. M.

The House met.

Mr. Orr, on leave granted therefor, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Adam Pence and others, of Delaware, Madison, and Grant counties, praying for a certain State road therein named, have had that subject under consideration, and directed me to report the following bill and recommend its passage, viz. :

No. 502. A bill to locate a State road in the counties of Delaware, Madison, and Grant;

Which was read three several times, the rules being suspended therefor and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dougherty, on leave, made the following report :

MR. SPEAKER :

The committee on claims, to whom was referred the message of the Governor, relative to the claim of Joseph I. Stretcher and Robert N. Allen, commissioners appointed by the Governor, under a joint resolution relative to the removal of the remains of Tilghman A. Howard, approved January 26, 1847, have had the same under consideration and have directed me to report the accompanying bill and recommend its passage :

No. 503. A bill for the relief of Joseph I. Stretcher and Robert N. Allen, commissioners appointed by the Governor, under a joint resolution of the last session of the General Assembly, providing for the removal of the remains of the late Hon. Tilghman A. Howard from the State of Texas to the State of Indiana ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. May, on leave, made the following report :

MR. SPEAKER :

The select committee to whom was referred (by resolution No. 21) so much of the Governor's message as relates to voluntary associations, and private legislation, have had the subject under consideration, and directed me to report, that they fully concur with the views of His Excellency the Governor respecting the evils arising from the sanction special legislation has hitherto received. The committee are fully satisfied that the bounds to which local legislation has extended, is a serious evil—that it draws large sums from the treasury without producing any benefits, and wholly destroys that uniformity in our municipal regulations which good policy requires should exist throughout the State. Blieving with the Governor "that all necessary powers should, by general laws, be conferred upon other and more appropriate tribunals to afford relief, sought by means of private acts," the committee urge the propriety of withholding legislative sanction to any measure the objects of which can be obtained under the act authorizing the for-

mation of voluntary associations, approved January 27, 1847. Not being prepared to urge the passage of any additional enactments restricting special legislation, the committee ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Kennard, on leave, made the followiug report :

MR. SPEAKER :

The select committee to whom was referred the petition and remonstrance of sundry citizens of Clinton county, in relation to roads, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 504. A bill to define the width of roads in Clinton county ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

The House proceeded to the consideration of Senate bill

No. 234;

The amendment proposed by Mr. Meredith was pending at the last adjournment.

Mr. Hankins moved to indefinitely postpone the bill and amendment.

The ayes and noes were called by Messrs. Meredith and Baldwin.

Those who voted in the affirmative are,

Messrs. Brown, Carr, Cookerly, Davis, Dimmett, Dougherty, Doyle, Dunham, Ford, Hall, Hankins, Holden, Jones of Switzerland, Kennard, Lichteberger, Major, May, McConnell, McDonald of Lake, Mills, Neal, Norris, Orton, Rulon, Short, Smiley, and Tinbrook—27.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Bryant, Coble, Commons, Criswell, Frazer, Gordon, Hetfield, Huddleston, Hunt, Jones of Bartholomew, Kinney, Lane, Line, Lockwood, McCormick, Meredith, Miller, Nimmons, Orr, Sackett, Stone, Thompson of Carroll, Winstandley, and Mr. Speaker—26.

No quorum voting, the question on the indefinite postponement of said bill was not decided.

Mr. Dunham, on leave, reported from the committee on ways and means the following bill :

No. 505. A bill making specific appropriations for the year 1848; Which was read a first and second times, the rules being suspended therefor.

On motion by Mr. Dunham,

The 9th section of said bill was stricken out,

Mr. Dobson moved to amend the bill by striking out "nine dollars" and inserting "fifteen dollars" as the allowance to Alexander Dunnington.

Which did not prevail.

On motion by Mr. Jones,

The 42d section was amended by striking out "ten" and inserting "fifteen."

Mr. Harlan offered the following amendment :

Sec. —. That William A. Porter be allowed the sum of two dollars for postage on letters, newspapers, and documents addressed to him as Speaker of the House.

Which was adopted.

Mr. Rulon offered the following amendment :

That the Treasurer of State allow to Jacob Emshwiller, Treasurer of Blackford county, twenty dollars for Illinois paper received for taxes of 1841 before the same depreciated on his hands ; *Provided*, Said Emshwiller proves by the late Auditor and Treasurer, Morris Morris and George H. Dunn, that said claim is just and ought to be allowed.

Which was not adopted.

Mr. Hull offered the following amendment :

That the Principal Secretary of the Senate and the Principal Clerk of the House be each allowed fifty dollars for indexing the journals of the respective Houses of the present session of the General Assembly ;

Which was adopted.

Mr. Kinney offered the following amendment :

That Samuel L. Crosby be allowed fifteen dollars for five days' services as clerk of the committee on education ;

Which was adopted.

Mr. Meredith offered the following amendment :

Amend by inserting fifteen dollars travelling expenses for John Rider, assistant door keeper of this House ;

Which was adopted.

Mr. Wolfe moved to amend the first section by striking out "four" and inserting "three and a half" before the word dollars.

Which did not prevail.

Mr. Kinney offered the following amendment :

That T. R. Cressy be allowed fifty dollars for his services in preparing an address to the people of the State, by appointment of the Common School Convention.

Which was adopted.

Mr. Lowe offered the following amendment :

That Benjamin Rogers be paid \$4.50, cash furnished in transporting volunteers from Bloomington to Camp Clark, in June 1847.

Which was adopted.

Mr. Cole offered the following amendment :

That Noah S. Allebaugh be allowed the sum of thirty dollars for subsisting and quartering a company of Indiana Volunteers enrolled under the act of the 13th of May, 1846, under the command of Captain John M. Wilson.

Which was adopted.

Mr. Huddleston moved to amend section 6, by striking out so much as allows the committee on the judiciary three dollars a day each for the time employed during the vacation on the probate bill.

Mr. Lane moved to lay the amendment on the table.

Which did not prevail.

Mr. Prather moved to amend the amendment by inserting the following substitute :

“ That the members of the committee on the judiciary be allowed each the sum of one dollar and fifty cents for each day’s service on said committee during the recess of the Legislature.

Which was accepted by Mr. Huddleston in lieu of his amendment.

Mr. Lane moved to strike out “ one dollar and fifty cents ” and insert “ two dollars. ”

Which did not prevail.

The amendment was then adopted.

Mr. Williams of M., offered the following amendment :

SEC. —. That George Millspaugh, George L. Hoover, and Enos B. Wright, be allowed the sum of ten dollars each, for that amount by each of them paid for teams and teamsters by them employed to transport the Marion Guards, under command of Captain John M. Wallace, from Andersontown, in Madison county, to Edinburgh, in Johnson county.

Which was adopted.

Mr. Trimby offered the following amendment :

That William Youse, Sergeant-at-Arms, be allowed fifteen dollars traveling expenses, (174 miles.)

Which was laid upon the table.

Said bill was then ordered to be engrossed for a third reading on to-morrow.

Mr. Dougherty asked and obtained leave of absence for Mr. Smiley for the remainder of the session.

The Speaker laid before the House the following communication from the Secretary of State :

HON. WM. A. PORTER,
Speaker of the House of Representatives :

SIR :—I am informed that the Senate have by resolution appointed the 15th instant as the period for the final adjournment of the General Assembly, and that the concurrence of the House over which you preside is required to fix upon that day.

I have thought it due to inform the House of Representatives, through you, that from the great mass of bills and joint resolutions which have for the last three or four days been passed and sent to my office for enrollment, that it is utterly impossible for me to procure a sufficient number of competent clerks to enroll the same so as to have all ready for the Executive approval before next Friday, although I have now all the available labor that can be commanded.

JNO. H. THOMPSON.

Saturday, Feb. 12, 1848.

Mr. Smiley, on leave, made the following report :

MR. SPEAKER :

The select committee to whom was referred a bill of the Senate No. 178, fixing corporate limits of the town of Lafayette, have had that matter under consideration, and have unanimously directed me to report the bill back to the House, and recommend its indefinite postponement ;

Which was concurred in,
 And said bill was indefinitely postponed.

Mr. Hull, on leave, introduced,

No. 506. A joint resolution in relation to the expenses incurred by this State in raising volunteers for the Mexican war ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bryant, on leave, made the following report,

Which was laid on the table :

MR. SPEAKER :

The committee on ways and means to which was referred a resolution of the House, making inquiry respecting the transfer of certain State bonds issued on account of the State Bank to the internal improvement fund, has had the same under consideration, and directed me to report the accompanying letter of the President of the State Bank in relation thereto, and ask to be discharged from the further consideration of the subject :

STATE BANK, INDIANAPOLIS, FEB. 11, 1848.

C. L. DUNHAM, ESQ.,
Chairman, &c.,

SIR:—Your note of this day containing a copy of a resolution of the House of Representatives is just received, in which you refer also to the 18th page of the auditor's report, where that officer says :

| | |
|--|----------------|
| "The amount of bonds issued on account of State | |
| Bank, it will be seen by the above is, - - - | \$2,412,000 00 |
| The amount on which the bank pays interest is, - | 1,390,000 00 |
| Difference, - - - - - | \$1,022,000 00 |

This sum, although a loss by the bank is transferred to the internal improvement system, with what propriety, or by what authority, does not appear by any record of this office."

And you inquire "whether any legal authority exists for such transfer, and under what circumstances it was made, and any other information which the bank may be in possession of, in relation to these particulars?"

In reply to the inquiries, I have the honor to state, that under the act establishing a State Bank, the fund commissioners obtained the contemplated loan of \$1,390,000 for the State, and paid it over on the act required; and in pursuance of the same act, the commissioners of the sinking fund, have ever since paid the interest on that loan.

The other bonds, which it is stated, were issued by the fund commissioner, "on account of State Bank," were, it is understood, sold, but excepting a small sum, were never paid for.

These latter, as we are advised, were issued under the act of 12th of Feb. 1839, entitled "An act providing for the increase of the stock of the State Bank," the object of which act, and the loan contemplated by the State under it, was to sustain the "internal improvement system," as appears by the 5th section thereof, which is as follows :

"Sec. 5. The amount of said loans shall be subscribed and paid over by said commissioner of the sinking fund, as bank stock in the branches of the State Bank, at fifty dollars for each share; the dividends on which shall be first applied to the payment of interest on said loan, and the overplus is hereby appropriated to internal improvement, to be applied in the payment of interest on State bonds sold for that purpose, in such manner as the Legislature shall direct."

This act was clearly a project for paying in part the internal improvement debt, as it contemplated a loan of no less than five millions of dollars, to be invested by the State in bank capital, on

which the bank could issue ten millions of circulation, and all the profits were appropriated to "internal improvements."

As the bonds were issued thus to sustain the internal improvement system, and were not received, nor the funds as expected from the loan by the bank, it is probable the officers of State deemed it appropriate to regard the bonds as having been issued on account of internal improvements.

If there have been any transfers of the account of these bonds, it of course does not fall within the knowledge of the bank, as we are not apprised how the account of such bonds have been kept by the officers of State.

It is certainly a misapprehension to regard any loss on such bonds, as being "a loss by the bank."

Very respectfully,

J. MORRISON, *Pres't.*

Mr. Harlan, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bill of the House :

No. 479. An act authorizing the Treasurer of State to pay to Justus C. Alvord, Homer King, and Archibold T. Frink, certain moneys ;

Whereupon the Speaker signed the same.

Ordered, That the clerk take the same to the Senate for the signature of the President thereof.

Mr. Hankins, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bill, and find it correctly enrolled :

No. 86. An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, and to amend the same ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Cole, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have carefully compared the following enrolled with the engrossed bills, as follows :

No. 21. An act to authorize the Dearborn probate court to make certain orders and decrees therein named ;

No. 159. An act to incorporate the Madison and Cross Plains Turnpike Company ;

No. 214. An act to provide for the improvement of the town of Williamsport ;

No. 175. An act to authorize a certain change in the Strawtown and Peru State road in Hamilton county ;

No. 216. An act to authorize the clerk of Sullivan county to offer and sell certain lots and lands therein named, at the court house door in Sullivan county ;

No. 200. An act repealing an act therein named ;

No. 219. An act to repeal an act entitled "an act defining the the duties of county treasurers," approved January 13, 1846 ;

No. 455. An act to legalize an act of the board of commissioners of Madison county ;

No. 262. An act to vacate a certain street in the village of Byron in Laporte county ;

No. 28. An act declaring certain words in section 43, chapter 16 of the Revised Statutes of 1843, a misprint ;

No. 129. An act to repeal an act therein named ;

No. 168. An act to authorize Nothingham Mercer to build a mill dam across the Wabash river, in Adams county ;

No. 173. An act to repeal an act vacating a part of the town of Milford, in Kosciusko county ;

No. 166. An act declaring a misprint in the first section of an act of the Local Laws of 1847, in relation to the surplus revenue agent of Perry county ;

No. 238. An act to legalize the acts of Michael Shiel, a justice of the peace of Hamilton county ;

No. 237. An act to legalize the vacation of certain street, lots and alleys, in South Bend ;

No. 235. An act to authorize Sarah Shannon to convey certain real estate ;

No. 240. An act in relation to road tax in the county of Howard ;

No. 29. An act granting additional compensation to the probate judge of St. Joseph, Lagrange and Bartholomew counties ;

No. 291. An act to authorize the voters of certain townships to sell their school lands ;

And find all said bills correctly enrolled.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Cole, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following enrolled bills of the House, and compared the same with the engrossed bills thereof, and find the same correctly enrolled, to-wit :

No. 20. An act declaring a misprint in "An act to amend the practice in the probate court," approved January 28, 1847 ;

No. 150. An act to incorporate the Clay Cotton Mills ;

No. 252. An act to amend an act entitled "An act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, and to provide for the commissioner to restore said records," approved January 13, 1845 ;

No. 162. An act to locate a State road in Madison and Hamilton counties ;

No. 248. An act authorizing county auditors to make deeds in certain cases ;

No. 247. An act to revive an act entitled "An act to incorporate the town of Muncie, in Delaware county ;"

No. 255. An act to vacate part of the Indianapolis and Centreville State road ;

No. 254. An act authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte county, Indiana ;

No. 158. An act to locate a State road in the counties of White and Carroll ;

No. 172. An act to authorize John Webster to build a mill dam across the Little St. Joseph, in Decalb county ;

No. 260. An act authorizing the auditor of Franklin county to sell certain school lands therein named ;

No. 292. An act to re-locate a part of the Richmond and Logansport State road in the county of Dalaware ;

No. 160. An act to incorporate the German Evangelical Lutheran Church in Dearborn county ;

No. 290. An act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company ;

No. 30. A joint resolution in relation to increasing the clothing pay of non-commissioned officers and privates belonging to our army in Mexico ;

No. 31. An act relative to probate judges in the county of Porter ;

No. 210. An act to change the name of Bazaleel Thomas to that of Basil Thomas ;

No. 170. An act to locate a State road in the counties of Laporte and St. Joseph;

No. 164. An act to repeal an act therein named;

No. 165. An act to vacate a part of the town of Hagerstown in Wayne county;

No. 243. An act authorizing the sheriff of Dearborn county to use the jail at Wilmington for a certain period of time therein mentioned;

No. 246. An act reducing the fee for recording deeds in Delaware county;

No. 259. An act to locate a State road in the counties of Franklin and Ripley;

No. 284. A joint resolution of thanks to Capt. John S. Simonson and Capt. Lemuel Ford;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Nimmons made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following engrossed with the enrolled bills and find them correctly enrolled:

No. 89. An act to incorporate the Kosciusko, Elkhart, and Miami Railroad Company;

No. 293. An act to locate a State road therein named;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Harlan, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled with the engrossed bill of the House, and report that the same is correctly enrolled:

No. 372. An act to authorize the construction of lines of Morse's Electro Magnetic Telegraph in the State of Indiana, and for other purposes.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Cole made the following report :

MR. SPEAKER :

The committee on enrolled Bills have compared the following enrolled bills of the House with the engrossed bills thereof and find the same correctly enrolled, to-wit :

No. 301. An act to incorporate the Cambridge and Milton Turnpike Company ;

No. 161. An act to revise the road law in the counties of Lake and Porter.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

On motion by Mr. Cookerly,
Bill No. 393 was taken from the files and read a second time.
Pending which,
The House adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, FEBRUARY 14, 1848.

The House met.

On motion by Mr. Shryock,
The reading of the journal was dispensed with.

Mr. Shryock moved to reconsider the vote on the passage of Senate bill

No. 248. A bill to locate a State road from Loganspart in Cass county ;

Which motion prevailed.

Mr. Shryock then moved to reconsider the vote on the engrossment of said bill ;

Which motion prevailed.

On motion,

Said bill, together with a remonstrance on the same subject, was referred to the committee on roads.

Mr. Jones of S. moved to reconsider the vote on the passage of House bill

No. 88. A bill to incorporate the Evansville, Vincennes, and Terre Haute Railroad Company ;

The question being,

"Shall said vote be reconsidered?"

The ayes and noes being demanded by Messrs. Harvey and McConnell,

Those who voted in the affirmative are,

Messrs. Blackstone, Brown, Campbell, Carr, Cookerly, Criswell, Doyle, Ford, Hall, Hankins, Hetfield, Holden, Hull, Jones of Switzerland, Kennard, Kinney, Lane, Lowe, Major, McConnell, Nimmons, Rulon, Smiley, Trimble, Williams of Knox, and Wolfe—27.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Coble, Cole, Commons, Dimmett, Dobson, Dole, Dougherty, Frazer, Fuller, Gordon, Graham, Harvey, Huddleston, Hunt, Lichteberger, Lockwood, McCormick, McKinzie, Mills, Morrison, Orr, Prather, Robinson, Short, Stanton, and Mr. Speaker—29.

No quorum voting, the question on reconsidering was not decided.

Mr. Cookerly moved a call of the House ;

Which was not seconded.

On motion by Mr. McDonald of Lake,

The following message from the Senate, by Mr. Test, their Secretary, was taken up :

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MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the following resolution of the House :

Resolved, That this House will, the Senate concurring therein, adjourn *sine die* on Thursday the 17th February, with the following amendment :

Strike out "Thursday the 17th," and insert "Tuesday the 15th."

In which the concurrence of the House is respectfully requested.

The question pending at a former adjournment was,

Will the House reconsider the vote on concurring in the amendment of the Senate ?

It was decided in the affirmative.

Mr. Harvey moved to concur in the amendment of the Senate to said resolution, with the following amendment :

Strike out "Tuesday the 15th," and insert "Friday the 18th."

On which motion the ayes and noes were demanded by Messrs. Short and Dougherty.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Brown, Bryant, Campbell, Carr, Coble, Cole, Commons, Cookerly, Criswell, Davis, Dimmett, Dole, Doyle, Frazer, Fuller, Graham, Hankins, Harvey, Hetfield, Holden, Hull, Hunt, Jones of Bartholomew, Kennard Kinney, Lane, Lichteberger, Line, Major, May, McConnell, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Mills, Norris, Orr, Orton, Prather, Richmond, Robinson, Rulon, Sackett, Shryock, Stone, Sullivan, Thompson of Carroll, Thompson of Gibson, Williams of Knox, Winstandley and Wolfe—57.

Those who voted in the negative are,

Messrs. Dobson, Dougherty, Dunham, Ford, Gordon, Hall, Harding, Huddleston, Jones of Switzerland, Lockwood, Lowe, Morrison, Roache, Short, Smiley, Tinbrook, and Wolfe—17.

So said amendment was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cookerly, on leave granted, offered the following resolution :

Resolved, That the name of each member be called, and if any one has any business to introduce to the House, he shall then present the same, after which no new business will be received by this House, unless by unanimous consent.

Mr. Kinney moved to amend said resolution by inserting after the word "called," the words, "this afternoon at 2'oclock."

Which was adopted.

The question being,

Shall the resolution as amended, be adopted?

It was decided in the affirmative.

A message from the Senate by Mr. Rousseau, a Senator.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following joint resolution thereof, to-wit :

No. 226. A joint resolution in regard to General Zachary Taylor ;

In which the concurrence of the House is respectfully requested.

Said joint resolution in said message mentioned, was read a first time, and

Mr. Hall moved to suspend the rules and read said joint resolution a second time ;

On which motion the ayes and noes were demanded by Messrs. Short and Dunham.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Brown, Bryant Coble, Cole, Commons, Cookerly, Criswell, Dole, Dougherty, Doyle, Frazer, Fuller, Gordon, Graham, Hankins, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Nimmons, Orr, Orton, Prather, Richmond, Sackett, Thompson of Carroll, Williams of Knox, Williams of Madison, and Mr. Speaker—41.

Those who voted in the negative are,

Messrs. Campbell, Carr, Davis, Dimmett, Dobson, Dunham, Ford, Hall, Hetfield, Holden, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Major, May, McConnell, Mills, Norris, Roache, Rulon, Short, Sullivan, Thompson of Gibson, Tinbrook, Trimble, Winstandley and Wolfe—29.

So the rules were not suspended, two-thirds not voting in the affirmative, and said joint resolution was ordered to a second reading.

A message from the Senate, by Mr. Randall, a Senator.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the senate has passed engrossed bills of the Senate entitled ;

No. 295 An act in relation to mortgages due to the treasury fund, and the Indianapolis fund ;

No. 296. An act for the relief of replevin bail ;

No. 286. An act to regulate the testimony in certain, cases in the conveyance of real estate ;

No. 303. An act to revive and amend an act entitled, "An act to incorporate the Crawfordsville, Covington, and Illinois railroad company," approved February 5th, 1836.

In each of which the concurrence of the House is respectfully requested.

No. 295, In said message mentioned ;

Was read three several times, the rules being suspended therefor and passed ;

Ordered, That the Clerk inform the Senate thereof.

No. 296, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, when

Mr. Harvey moved to amend said bill as follows :

Amend by inserting after the words "probate court," the words "or by any justice of the peace."

Which was adopted.

Said bill was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

No. 286, in said message mentioned,

Was read a first time and ordered to a second reading.

No. 303, in said message mentioned,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Robinson, their Assistant Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed engrossed bill thereof, entitled :

No. 310. An act to grant a divorce to Allen Gibbons and Susanah Gibbons ;

In which the concurrence of the House is respectfully requested.

Said bill, in said message mentioned, was read a first time, and

On motion,

Said bill was rejected.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments, to-wit :

No. 156. An act to repeal an act providing for the election of supervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved December 26, 1844 ;

No. 224. An act authorizing the boards doing county business to continue in session ten days at their March and June sessions ;

No. 370. An act for the benefit of widows ;

No. 450. An act amendatory of the charter of the city of Indianapolis ;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to the bills, Nos. 156, 224, 370, and 450, in said message mentioned, were each concurred in by the House.

A message from the Senate, by Mr. English, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 291. An act in relation to the real estate of John R. Fischli, late of Jackson county, deceased ;

In which the concurrence of the House is respectfully requested.

Said bill, in said message mentioned,

Was read a first and second times, the rules being suspended, therefor, when,

Mr. Blythe moved to amend said bill as follows :

Strike out from the enacting clause, and insert the following—

That the father and mother and the brothers and sisters of John Rudolph Fischli, and John Fischli, jr., both late of Jackson county, deceased, shall respectively have and hold the same interest in the lands of which the said John Rudolph Fischli and John Fischli, jr., respectively, died seized, as would have vested in them as heirs of said decedents, had they been citizens of this State at the time of the death of the said John R. and John Fischli, jr.: *Provided*, That John Zulauf, who is represented as being a distant relative of said decedents, and a resident of the United States, will file a release of his claim to said estates in the clerk's offices of the different counties, wherein such land is situated, within three months from the passage of this act.

SEC. 2. Said father and mother and brothers and sisters of the said John Rudolph Fischli and John Fischli, jr., are hereby authorized, jointly or severally, in person or by attorney, and without coming to the United States, to sell and convey whatever estate or interest they may have in said lands by virtue of their relation to said decedents, and of the first section hereof, and to receive the proceeds of such sales.

On motion by Mr. Dunham,

Said bill and amendment were referred to a select committee of Messrs. Ford, Blythe, McDonald of L., Prather, and Sullivan.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that they have passed the following engrossed joint resolution thereof:

No. 302. A joint resolution returning the thanks of the Legis-

lature to our officers and soldiers who have been or are now in Mexico ;

In which the concurrence of the House is respectfully requested.

Said joint resolution, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, when,

Mr. Harvey moved to amend said joint resolution as follows :

Strike out the word "rights," in the last line of the first resolution, and insert in lieu thereof the word "flag."

On which motion,

The ayes and noes being demanded by Messrs. Wolfe and Jones of Switzerland,

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Coble, Cole, Commons, Criswell, Dole, Dougherty, Frazer, Gordon, Harding, Harvey, Huddleston, Hull, Hunt, Kinney, Lockwood, McCormick, McKinzie, Meredith, Mills, Morrison, Orr, Orton, Prather, Richmond, Robinson, Sackett, Stone, Thompson of Carroll, Thompson of Gibson, Williams of Madison, and Mr. Speaker—35.

Those who voted in the negative are,

Messrs. Blackstone, Campbell, Carr, Cookerly, Davis, Dimmett, Dobson, Doyle, Dunham, Ford, Fuller, Hall, Hankins, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Lake, Mills, Nimmons, Norris, Roache, Rulon, Short, Shryock, Sullivan, Tinbrook, Trimble, Williams of Knox, Winstandley, and Wolfe—39.

So said amendment was not adopted.

Mr. Miller moved to amend said joint resolution as follows :

"Insert the name of General Taylor, in the first section ;"

Mr. Wolfe moved the previous question ;

Which was not seconded.

The question then being, "shall the amendment to insert the name of General Taylor, be adopted?"

The ayes and noes being demanded by Messrs Kinney and Dunham,

Those who voted in the affirmative are :

Messrs. Baldwin, Blackstone, Blythe, Brown, Bryant, Coble, Cole, Commons, Cookerly, Criswell, Dimmett, Dole, Dougherty, Doyle, Frazer, Fuller, Gordon, Graham, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Jones of Bartholomew, Jones of

Switzerland, Kennard, Kinney, Lane, Lichteberger, Line, Lockwood, Major, May, McCormick, McDonald of Lake, McKinzie, Meredith, Miller, Morrison, Nimmons, Norris, Orr, Orton, Prather, Richmond, Robinson, Rulon, Sackett, Stone, Thompson of Carroll, Thompson of Gibson, Williams of Knox, Williams of Madison, and Mr. Speaker—56.

Those who voted in the negative are,

Messrs. Campbell, Davis, Dunham, Hall, Holden, McConnell, Short, Tinbrook, Winstandley, and Wolfe—10.

So said amendment was adopted.

Mr. Harvey moved to amend said joint resolution as follows :

Amend the first resolution as follows :

Strike out the words, "in defence of the rights of their country ;"

Pending which,

On motion by Mr. Dunham,

The House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met.

Mr. Hull asked and obtained leave of absence for Mr. Jones of Switzerland, from Tuesday next, until the close of the session.

Mr. Wolfe asked and obtained leave of absence for Mr. Hall, from Wednesday next, until the close of the session.

On motion by Mr. Harvey,

The following message from the Senate, by Mr. Test, their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have refused to concur in the amendment of the House to the amendment of the Senate to the resolution of the House, providing for the adjournment *sine die*, of the present General Assembly, and insist upon the said amendment of the Senate to the said resolution of the House. And I am further directed to inform the House, that the Senate requests the appointment of a committee of free conference of the two Houses of the General Assembly, upon the disagreement of the two Houses ; and the Senate have appointed Senators Beard and Zenor, a committee on the part of the Senate ;

On motion by Mr. Kinney,
The House insisted on its amendment;

Mr. Harvey moved that a committee of free conference, be appointed to meet a similar committee appointed by the Senate, on its disagreement;

Which motion prevailed.

Whereupon, the Speaker appointed Messrs. Harvey and Kinney, said committee.

Special order of the day,

The House proceeded according to Mr. Cookerley's resolution, to the reception and consideration of any business that the individual members wished to present.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred House bill, No. 324, a bill in relation to the saline lands in this State, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage ;

Said bill was considered as engrossed, read a third time, the rules being suspended therefor, and,

On motion,

Laid on the table.

Mr. Blythe introduced,

No. 507. A bill to authorize Aaron Houghton administrator, to compound a certain debt ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Blythe made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred the House bill, No. 435, entitled "An act to repeal section 88, of chapter 13, of the Revised Statutes of 1843, and defining the duties of county Auditors, in loaning county seminary funds," have had the same under consideration and have instructed me to report the same back without amendment, and recommend its passage ;

Said bill was considered as engrossed, and ordered to a third reading.

Mr. Blythe made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred resolution of the House, instructing said committee to enquire into the expe-

diency of enacting a law allowing writs of error in criminal cases, have directed me to report that they have had the same under consideration, and are unanimously of opinion, that any legislation on the subject, is inexpédient, and ask to be discharged from the further consideration of the subject ;

Which report was concurred in.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred Senate bill No. 95, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

No. 95. A bill declaratory of the meaning of the 30th section of chapter 37 of the Revised Statutes of 1843 ;

Was considered as engrossed, and ordered to a third reading.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 323, have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement ;

Which was concurred in by the House.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 319, have had the same under consideration, and have directed me to report the same back, and recommend its indefinite postponement ;

Which was concurred in by the House.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 287, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage :

No. 287. A bill to amend article eleven of chapter thirty of the Revised Statutes of 1843 ;

Which was ordered to be engrossed for a third reading.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 305, authorizing clerks of circuit courts to take and approve certain bonds, have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement ;

Which was concurred in by the House.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred House bill No. 310, have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement ;

Which was concurred in by the House.

Mr. Blythe made the following report :

MR. SPEAKER :

The judiciary committee, to whom was referred the petition of Thomas Jones and others, asking the passage of a law limiting the fees of certain officers therein named, have had the same under consideration, and have directed me to report that it is inexpedient to grant the prayer thereof ;

Which was concurred in by the House.

On motion by Mr. Dunham,

The vote was reconsidered on the indefinite postponement of No. 305. A bill to authorize clerks of circuit courts to take and approve certain bonds.

Said bill was read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Brown presented a remonstrance against any change of the license law;

Which was laid on the table.

Mr. Brown introduced

No. 508. A bill to require the school commissioner of Marion county to give bond and take an oath of office ;

Also,

No. 509. A bill for the relief of James Vanblaricum ;

Which were severally read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Bryant made the following report :

MR. SPEAKER :

The committee on the judiciary, to which was referred bill No. 328 of the House, have had the same under consideration, and instructed me to report the same back to the House with a substitute therefor, the passage of which they respectfully recommend.

The amendment of the committee was adopted, and said bill No. 328 was ordered to be engrossed.

Mr. Bryant introduced,

No. 510. A bill to provide compensation to the auditor and treasurer for managing Trust funds ;

Which was read a first time and ordered to a second reading.

Mr. Dobson introduced,

No. 511. A bill relative to elections in Owen county ;

Which was read a first time and ordered to a second reading.

Mr. Dole introduced,

No. 512. A bill to incorporate the Vermillion Academy ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dole presented the petition of Wm. Kile and others, asking that Bruletts creek, in Vermillion county, should be declared a public highway ;

Which was referred to a select committee of Messrs. Dole, Cookerly, and Harvey.

Mr. Dougherty introduced,

No. 513. A bill for the relief of Ebenezer F. Lucas ;

Which was read a first time and ordered to a second reading.

Mr. Jones of Switzerland made the following report,

Which was laid on the table :

MR. SPEAKER :

The committee to whom was referred that portion of the Governor's message which relates to the constitutional treasury of the United States, respectfully report ;

That in approaching the consideration of this important subject, at this time, they are happy to find it unencumbered with the weights that have heretofore surrounded it. The bolts and bars, and deep dark vaults of the hideous subtreasury, have lost their terrors in the minds of the American people. It now appears as

an institution formed by the fathers of our country; and in it, as well as in many other principles of our glorious constitution, men are irresistibly compelled to acknowledge the wisdom and foresight of its framers.

The constitutional treasury went into operation on the first of January, 1847, and according to the report of the secretary of the treasury, during the first eleven months, there was received for loans, customs, lands, and miscellaneous collections, the sum of \$48,667,886 18 in specie, and the sum of \$48,226,516 31 during the same eleven months disbursed in specie, making altogether, in receipts and disbursements, the sum of \$96,894,402 49. It has been tried during a period of war, when, in the language of Mr. Walker in his report, it was necessary to negotiate very large loans, when our expenditures were being increased, and when transfers, unprecedented in amount, were required to distant points for disbursement. Notwithstanding all this, during the last eleven months the government has received, transferred, and disbursed more specie than during the whole aggregate period of fifty-seven years since the adoption of the constitution.

Mr. Walker further says, that during the year ending June 30, 1847, our imports of specie were \$24,121,289, most of which under former systems must have gone into the banks, to have been made the basis of issues of their paper to the additional amount of fifty or sixty millions of dollars. Such an expansion, during the last spring and summer, accompanied by still higher prices, and followed by a greater fall, and by bankruptcies in England to an extent heretofore unknown, finding our banks and credit greatly expanded, and reacting upon this expansion would have produced a revulsion here, exceeding any that has heretofore occurred in the country.

A general requisition of the banks would probably have resulted, depressing the wages of labor and prices of property and products, affecting injuriously the operations and credit even of the most solvent, and producing extensive bankruptcies. From this revulsion we have been saved by the Constitutional Treasury, by which the specie imported, instead of being converted into bank issues, has been made to circulate directly to a great extent as a currency among the people, having been received here during the last eleven months by the new orders of this department, under the act of 9th of February, 1793, and the zealous co-operation of the able and efficient head of the Mint of Philadelphia, to the unprecedented extent of \$20,758,048 12, and there are thousands of our citizens now solvent and prosperous, who have been saved from ruin by the wholesome operations of the Constitutional Treasury. The banks that so unwisely opposed the system, have been rescued probably from another suspension, their stockholders, depositors, and other note-holders from severe losses, and the country and government from the ruinous effects of a depreciated paper currency. If the union of the government with the banks had continued, and their suspension and the depreciations of their paper occurred during the

war requiring large specie disbursements, which suspended banks could not furnish, consequences the most disastrous to the honor and the interests of the country must have ensued.

The Government is now disconnected from banks, and yet its stock and notes are at par, although we have been constrained to contract heavy loans, and to keep larger armies in the field than at any former period. But during the last war, when the Government was connected with banks, its six per cent. stock and Treasury notes were depreciated twenty-five per cent., payable in bank paper twenty per cent. below par, thus amounting to a loss of forty-five cents in every dollar upon the operations of the Government.

Another and most happy effect of the Constitutional Treasury, is now beginning to be felt throughout the country. The great variety of foreign coin, its difference in value, and the uncertainty and loss to those who are not well informed on the subject, produce great perplexity and loss to the people in their moneyed transactions. This evil is being rapidly removed by the operation of the constitutional treasury; and even in Indiana our own American eagles, half eagles, and smaller coinage, are in circulation to a considerable extent, and are taking the place of the foreign coin.

The secretary remarks, that the amount of foreign coin or bullion coined this year at our mint and branch mints, under the new orders of this department, estimating December the same as November, would be \$23,844,001 92, at which rate we would soon supply our own people with our own coin, and in time also, with our augmenting commerce, Americanize to a great extent the coin of the world, and thus introduce our simple and beautiful decimal currency gradually throughout all nations, substituting it for the complex system of pounds, shillings, and pence, or of doubloons, ducats, and rupees, which retard business and complicate accounts.

Heretofore the world has supplied us with foreign coin, which will not circulate among our people, because of its extreme complexity; but now our own coin is flowing into the channels of our own circulation, and must soon begin to diffuse itself into other nations, for their benefit as well as our own. The three things which most concern the progress of the wealth of the world, are free trade and uniformity in coinage, and in weights and measures. Coins as well as weights and measures for the benefit of all nations, ought to be uniform throughout the world, and if our decimal system of coinage should be more simple and perfect than that of any other nation, it ought to be, and ultimately will be, adopted, and lead to the introduction of the decimal system of weights and measures, as far as practicable, so that ultimately the coin and weights and measures may be simple and uniform throughout the world.

In view of such beneficial tendencies of the Constitutional Treasury, we cannot refrain from expressing our gratification that the executive of Indiana, in the exercise of his constitutional duty, has brought this important subject before the people of the State for their favorable consideration. It is peculiarly important to the

people of Indiana. Under a different system, the people of this State, as well as of many others, were led from the heights of apparent prosperity to the very verge of hopeless bankruptcy and ruin. Indeed, in our own case, the ruin by many was deemed complete. The Governor has considered it his imperative duty to raise his warning voice against the approaches of a similar catastrophe, however insidiously it may be brought upon us.

The great sheet anchor of our prosperity is the Constitutional Treasury. Individual credit under a system of over-trading and extravagant bank issues, may be shipwrecked; but when the ship of state is properly balanced, no gale of misfortune will be able to overtake her path, and individual credit, if it ever does occasionally run riot, under the happy influences of the Constitutional Treasury, may be re-gained; but let all go down together in one common ruin, national and individuals, and our free institutions, now the wonder and admiration of the world, may be lost forever.

We recommend the adoption of the following resolution:

Resolved, That in the operation of the Constitutional Treasury, during a period of war with a foreign country, and during a time of great monetary derangement in Europe, in which our own commercial men have stood firm, we recognize the wisdom of its policy, and the foresight of the American Statesman, who first adopted it as the early policy of this government; and the members of Congress from Indiana will be performing their duty and reflecting the expressed will of the State in resisting efforts to establish a different policy for the collection and disbursement of the public revenue.

CHARLES L. JONES,
GEO. W. LANE,
A. L. ROACHE.

Mr. Jones of Switzerland introduced

No. 515. A bill to revise and continue in force an act to incorporate a certain company;

Which was read a first time and ordered to a second reading.

Mr. Kennard offered the following resolution, which was adopted:

Resolved, That the State Printer be directed to deliver to the Secretary of State all reports ordered to be printed during the present session, and which may not be printed before the adjournment, so soon as printed, whose duty it shall be to forward the same to the members and officers, by mail, immediately after delivery.

Mr. Kinney made the following report, which was laid on the table:

MR. SPEAKER:

The committee on commerce and manufactories, to which was

referred a resolution of this House directing it to inquire into whether the State of Indiana possesses any and what facilities for manufacturing purposes, have had that subject under consideration, and have instructed me to make the following report :

Agriculture is doubtless the most important of the objects which demand the attention of society, and its agents selected to make or modify laws, for the first and last physical want of man is food. The next object in the scale of importance is the manufacture of the metals into forms which lessen the labor of the tiller of the soil, and of the fabrics which protect him from the cold and add to the necessaries and comforts of life.

Although in all legislation we should keep steadily in view the most numerous and most important class of society, yet in proportion as our State becomes prosperous, wealthy, and educated, the manufacturing classes deserve our encouragement, and perhaps most of our time. The interests of the agriculturist are shielded by our constitution and by our general laws ; he requires no specific enactments to enable him the better to plant the seed or gather the harvest. But not so with the manufacturers whose labor and capital, to be most productive and most advantageous to themselves and society, must be used in combination, and under the safeguards of specific laws. We, therefore, in granting charters for the protection, and in passing acts for the proper management of associated capital, labor, and skill, whether directed to making the cloth we wear or the canal and railroad which lessens the cost of transporting our exports and imports, are, in truth, most effectually and beneficially discharging the duties we owe to our agricultural constituents.

The Anglo-Saxon has been called the manufacturing race, and justly so. Other races have limited their ambition and efforts to the bare necessities and luxuries of life. Ours, while it produces and accumulates these necessities in the greatest abundance, is chiefly distinguished for the manufacture of the conveniences of life. In Asia, Africa, Southern Europe, Southern and Central America; the abodes of other races, we find splendid temples, vast mounds, pyramids, and obelisks, magnificent palaces; here richly caparisoned elephants, carrying the wealth of an empire in the turban and girdle of a prince; there a temple crowded with a lazy priesthood, covered with ornaments of massive gold; everywhere in striking contrast, pride and poverty, king and subject, master and slave, the well-fed priest of Baal and the starving devotee; Cleopatra wasted under silken canopies and rowed by chained and naked slaves; a Roman emperor, paying the tribute of a province for peacocks' tongues, while his people were starving in want of the coarsest food.

Our race requires no open temples, however costly, but warm dwellings. In the houses of our God the ear and not the eye is to be gratified. We buy no Tyrian silk until we have the more needful fabrics of cotton, hemp, flax, and wool.

It was the glory and boast of a French king that he had per-

fectured the fabrics of tapestry and lace. Let it be our pride and care to direct industry to make the best plow, and the cheapest and most durable cloth.

But the cheapness and excellence of the fabric is not to be our only care; we must also look to the condition of the fabrication and the influence of that condition on society. In the progress of manufactures, various systems have obtained, and perhaps all the merits of each can now be impartially weighed by us. We are now under the direct influence of none, and we have, fortunately, the results of experience elsewhere, and have not to risk the chances of theory. In this brief report we cannot describe, in detail, the various combinations labor and capital have assumed in manufacturing employments. It is enough to remark that now there are two leading systems. First, that which obtains in Great Britain and France, where individuals of large means employ labor at the lowest rates it can be obtained, to make fabrics wholly or only in part. For instance, the Sheffield capitalist establishes a manufactory for making cutlery; if he builds a house for his operatives its apartments are entirely separate; each is furnished with power to be communicated to the unexpensive machinery the occupant may furnish. These occupants then receive materials or unfinished work, one fashions the blade, another the handle, while others—each doing but one thing—make the rivets, temper the metal, grind the blade, put the parts together, and polish the whole, &c. Here there is the slightest possible communication of the operatives with each other, and with their employers. The one gets all he can out of the other. The man of capital only requires physical force, and the man of labor can only get and only expects wherewithal to supply physical wants. This system, as the experience of a century has shown, has an irresistible tendency to make the rich richer and the poor poorer.

The other is the system of free countries, where wealth is more equally distributed, where there is no law of entail, and nobility is of worth and not of birth. In Europe it is in partial operation, in Belgium, Germany, and Switzerland. Here we term it the Lowel system, in honor of the distinguished man, who, after carefully examining the various systems of Europe, adopted the best features of each to our people and institutions. Under this system the savings of the poor man out of the price of his labor can be put in the same stock which holds the accumulations of the rich man, and the dividends are in proportion to the stock; under this system the laborer receives higher wages, because the association of capital and labor, by increasing the productiveness of both, entitles each to higher profits. Under the one system the laborers' capital is in his machinery, tools, and building, and he cannot readily dispose of that capital at its value under the other, the stockholder furnishes everything, and the operative has his capital where it can accumulate and in a convertible form.

In short, he who takes wages under the one system finds it difficult to escape from the control of his employers, and away from the

place of his bondage, while he who seeks employment under the other can go as voluntarily as he came, and he is under no dependence and feels none. Here labor meets capital as an equal, if either has the advantage it is the former, for the capital is fixed, and is wholly dependent on the laborer for productiveness.

This actual dependence, perhaps, is the parent of the many advantages that surround the manufacturing laborer in New England.

If we are correct in this view, it is important for us to encourage this American system, as its tendencies are to ennoble instead of degrade labor, and to prepare it for agricultural employments.

Your committee ask further the special attention of the Legislature and the people, to the fact that in our State the supply of our agricultural products are beginning to pass the limits of permanent demand, and that we now are looking to a continuance of the famine in England as the strongest ground of our hope of obtaining remunerating prices for our surplus pork and bread stuffs, and that while we thus depend on a contingency as uncertain as its existence would be deplorable, hundreds of thousands of our rich acres are annually added to our productive fields, and that the same progress in agricultural supply is going on as rapidly in our sister States. And we earnestly call to the serious attention of the people one of the first axioms of political economy, that when the supply of any article is beyond the demand, the consumer fixes its price. Are we not now paying the price of transportation on the food we supply to the manufacturer abroad, who pays us in the produce of his labor? and is it not manifestly to our interest to induce that laborer to come among us, and to save us that cost of transportation, and to give us whatever profits there are in the supply of all his wants?

It is said that our State has a soil, which, under the present ordinary methods of cultivation, is capable of sustaining a population of ninety millions of souls—that immediately under its surface lies iron ore and bituminous coal in sufficient abundance for the supply, for thousands of years, of that immense population!

To the juxta position of these two priceless minerals, England owes her power and greatness. To the same sources our sister State of Pennsylvania is looking as affording the elements of unbounded prosperity. Indiana has the same elements in a remarkable proportion. Her rivers—now navigable, or cheaply made so—at a thousand points cut through the richest deposits both of coal and iron, and cheaply furnish the facilities of transporting either; while artificial high-ways, canals, and railroads can be constructed over and through these deposits, at, perhaps, from one-sixth to one-tenth of their cost elsewhere, and where these minerals abound; and at the same time answer the purpose of the agriculturist as well as those of the miner and manufacturer. And your committee do not believe that there can be found elsewhere on the surface of the globe, a continuous territory of 37,000 square miles, where God has

bestowed His choicest favors so bountifully. Of 23,000,000 acres, at least 20,000,000 are susceptible of cultivation, and without extraordinary cost.

We have many miles of lake and river navigation. Our country is so gently undulating that our rivers meander slowly from their sources—have made alluvial bottoms of vast extent and unsurpassed fertility; water for all purposes, but navigation, is as abundant in the summer as in the winter; our climate is genial, and our products are various. Take any route you choose, from the Ohio to the lake, and you can scarcely find a single section of land on which a good farm could not be made.

Similar causes must produce similar results. We have cheap food, cheap power, and easy communication, and we must have busy work-shops. These, in the words of Lord Bacon, are all the important elements of a prosperous country.

Your committee cannot close their report without adverting again to the *direct* advantage to the agriculturist resulting from the neighborhood of the manufacturer, and showing the advantage in the increased value of lands, and in the produce of lands.

In every country and in every period in the history of manufactures, the establishment of large manufactories has added vastly to the agricultural wealth of the surrounding country. About Auzburg, in Germany, and when that city was the seat of manufacturing industry, the rents of land were perhaps greater than in any part of Europe; the desolation of that industry by bad laws, was followed by the destruction of the country. In the neighborhood of Lyons and Amiens, in France, rents are immensely high. Since the rise of Manchester, in England, lands in the vicinity have rented at from fifteen to thirty dollars per acre which were once rabbit warrens, and would scarcely be considered fit for cultivation in places remote from manufacturing industry. In New England we have seen, during the last quarter of a century, how manufactories have added value to a barren soil. The prize farm of Massachusetts, a few years since, was one half a bog and the other half a mass of stone and pebbles; but the high prices of provisions justified the toilsome removal of the stone to the bog and the bog-earth to cover the stone. The agricultural products of the single county of Middlesex is estimated at over two millions of dollars per annum.

Such is the character of the results that must be shown in our State by the adoption of a like policy.

Your committee recommend to the kindness of the people, and to the fostering care of the Legislature, the capital and the labor from abroad, coming from whatsoever direction it may; and they recommend that our own surplus capital and labor be more largely directed to the second great interest of our country.

Your committee refer with unfeigned pleasure to the position which Indiana now occupies as a debt-paying State, and to the restoration of confidence abroad in our individual and public credit. The arrangements which have been so happily and satisfactorily

made for the adjustment of our public debt, have removed the fears of emigrants and capitalists, and now we begin to see the tide of emigration returning to its old channels ; and in the recent introduction of charters for the protection of manufacturing capital, your committee see the indications that our vast natural advantages have begun to attract the attention of the cotton grower of the south and the cotton manufacturer of the east.

Mr. Lane introduced

No. 515. A joint resolution asking the aid of the general government for the American Colonization Society ;

Which was read a first time.

Mr. Orton moved to reject it.

Which did not prevail.

Said joint resolution was ordered to a second reading.

Mr. Line made the following report :

MR. SPEAKER :

The select committee to whom was referred Senate bill No. 277, entitled "An act relating to auditors and treasurers," have had the same under consideration, and report the same back without amendment and recommend that the same be indefinitely postponed ;

Which was concurred in ;

And said bill was indefinitely postponed.

Mr. Lowe introduced

No. 516. A bill amendatory of the laws relative to the trust funds of this State ;

Which was read a first and second times, the rules being suspended therefor, and laid on the table.

Also,

No. 517. A bill to amend an act to confine voters to their own townships ;

Which was read a first time, and,

On motion,

Was rejected.

Mr. Nimmons made the following report :

MR. SPEAKER :

The committee on enrolled bills report that they have compared with the originals the following enrolled bills of the House, and find the same correctly enrolled :

No. 232. An act declaring the meaning of an act to amend an act incorporating Michigan City ;

No. 41. An act to extend the time for appraising certain lands belonging to the Wabash and Erie Canal ;

No. 401. An act declaring certain lots in the town of Greencastle without the corporation of said town ;

No. 198. An act in relation to school funds in the county of Daviess ;

No. 407. An act for the relief of persons who have made improvements on school sections in the Miami Reserve ;

No. 308. An act for the relief of Thomas M. Gibson and others ;

No. 177. A bill to legalize the assignment of a certificate for certain school lands therein named ;

No. 225. An act authorizing county auditors to take acknowledgments of deeds in certain cases ;

No. 192. An act in relation to the pay of grand and petit jurors in certain counties therein named ;

No. 269. A bill to vacate the streets, alleys, and town lots of Georgetown, in the county of Adams ;

No. 231. A bill to enable the auditor of St. Joseph county to make a deed in certain cases ;

No. 180. An act to repeal part of an act authorizing the State Bank of Indiana to lay off plat and record in out lots certain lands adjoining and lying near to the town of South Bend, St. Joseph county ;

No. 182. A bill to legalize the assignment of a certificate for certain school lands in Morgan county, and for other purposes ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Dougherty, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bills and found them correctly enrolled :

No. 136. An act for the relief of Simon and John Bottorff ;

No. 245. An act for the relief of Joseph R. Pratt ;

No. 353. An act to incorporate the Boonville and Ohio River Railroad Company ;

No. 419. An act to extend the February term of the probate court in the county of Washington ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate for the signature of their President.

Mr. Ford, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills and find them correctly reported :

No. 234. An act to require the trustees of the Indiana University to report to the General Assembly ;

No. 555. An act authorizing the State Librarian to procure a suitable book in which to record the names of the Volunteers from the State of Indiana ;

No. 43. An act for the relief of Dougherty Owens and others ;

No. 491. A joint resolution in relation to certain land laws ;

No. 415. A joint resolution in relation to Volunteers who have settled upon government lands in the Great Miami Reserve ;

No. 370. An act to legalize the sale of certain lands ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled with the engrossed bill of the House, and find the same correctly enrolled :

No. 128. An act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

Mr. Ford, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills and find them correctly enrolled :

No. 147. An act to change the name of Granville, in Tippecanoe county ;

No. 184. An act to vacate certain enlargements of the city of Evansville ;

No. 267. An act to change the name of Charlotte Leggett Fox Dubois to Charlotte Fox Dubois Ladd ;

No. 195. An act to provide for the construction of a railroad

from Nashville, in Morgan county, to Mount Commerce, in Greene county ;

No. 339. An act to repeal the 4th section of the 47th chapter, so far as relates to Elkhart county ;

No. 456. An act to amend an act to provide for the election of prosecuting attorney by the people, approved Jan. 27, 1847 ;

No. 206. An act authorizing the sale of lots in the town of Brownstown for delinquent taxes ;

No. 187. An act to authorize the location and establishment of a State road from Bedford, in Lawrence county, by Clear Spring, in Jackson county, to Columbus, in Bartholomew county ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate, for the signature of the President thereof.

Mr. McDonald made the following report :

MR. SPEAKER :

A minority of the judiciary committee to which was referred a petition of certain citizens of Elkhart county praying an amendment of the execution laws, have had the same under consideration and directed me to report that they concur in opinion with the petitioners, that all laws are beneficial to communities, and strongly tend to uphold, protect, and perpetuate our free and happy institutions, which enable each and every citizen, to own and possess at least forty acres of land with reasonable improvements thereon, and a reasonable amount of personal property not less in amount than three hundred dollars, without danger of being dispossessed thereof by those shylocks who prey upon society through the technicalities of the law ; they have no doubt, that all laws which tend to produce an equality of property, tend to the retention in society, of individual and social happiness, individual and social honesty, morality, and individual and social independence ; without which, whatever may be the form of government, no community can be happy, wise, or great. In the opinion of the said minority of the committee, many, and irresistible, and unanswerable arguments might be advanced in favor of the prayer of the petitioners, but the late period of the session, and believing that this House, nor a majority of the citizens of this State, are not as yet sufficiently awake to the importance of the subject, they hereby report the said petition back to the House, and recommend that it be laid on the table :

Said committee was discharged from the further consideration of said subject.

Mr. McDonald of Lake, introduced

No. 518. A bill to authorize the location of a State road on the county line of Lake and Porter counties ;

Which was read three several times, the rules being suspended therefor, and passed ;

Ordered, That the Senate be informed thereof.

Mr. McKinzie introduced

No. 519. A bill changing the mode of taking and hearing testimony in all proceedings in chancery, in the several counties of this State ;

Which was read a first time, and ordered to a second reading.

Mr. McKinzie made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred the petition of Samuel Dunning and 143 other citizens of Owen county, praying the passage of a law making it an indictable offence, to erect mill dams or other obstructions across White river, have had that matter under consideration, and have directed me to report that it is inexpedient to legislate upon that subject, for the following brief reasons :

1st. White river being a public highway, no person has the right to obstruct its navigation without rendering himself liable to an indictment by the existing laws, which amply provide for all cases of the kind, and also subjects himself to a civil action at the suit of any person who may be injured by the erection of such obstruction.

2d. If such obstructions work a public evil, or in other words a nuisance, any person has the right to abate it. And the Legislature has no right, or constitutional power, to enact a law giving to any person the privilege of erecting a dam across said river, which will in the least obstruct the navigation of the same. Our supreme court has decided that such acts are unconstitutional ; and said committee ask to be discharged ;

Which was concurred in.

Mr. Miller made the following report :

MR. SPEAKER :

The committee on roads to whom was referred bill No. 475, to vacate a certain road in Daviess county, have had the same under consideration, and have directed me to report it back to the House, and recommend its indefinite postponement, and ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Said bill was indefinitely postponed.

Mr. Miller also make the following report :

MR. SPEAKER :

The committee on roads to whom was referred Senate bill No. 148, to vacate a part of a State road in Tippecanoe county, have had the same under consideration and have directed me to report it back to the House, and recommend that it be laid on the table, and ask to be discharged from the further consideration thereof ;

Which was concurred in.

Said bill was laid on the table.

Mr. Miller also made the following report :

MR. SPEAKER :

The committee on roads to whom was referred the petition and remonstrance of sundry citizens of Clinton county praying a change in a State road therein named, have had the same under consideration, and have directed me to report it inexpedient to grant the prayers of the said petitioners, and ask to be discharged from the further consideration of the subject ;

Which was concurred in.

Mr. Miller also made the following report :

MR. SPEAKER :

The committee on roads to whom was referred petition, No. 25, of citizens of Elkhart county, have had the same under consideration and have directed me to report it inexpedient to legislate on the matters therein contained, and ask to be discharged from the further consideration thereof ;

Which was concurred in.

Mr. Miller also made the following report :

MR. SPEAKER :

The committee on roads to whom was referred Senate bill, No. 248, to locate a State road from Logansport, in Cass county, to Winnemac, in Pulaski county, have had the same under consideration, and a majority of said committee have directed me to report said bill back to the House and recommend its passage ;

Said bill was considered as engrossed, read a third time, and passed.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the engrossed bill of the Senate, entitled,

No. 242. An act to prevent the sale of spirituous liquors in Wayne and Franklin townships, in Wayne county, by a less quantity than ten gallons.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have receded from the amendment of the Senate to the bill of the House, entitled,

No. 37. An act to incorporate the Connersville Hotel Company.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment, to-wit :

No. 433. An act for the government of the Indiana Hospital for the Insane.

A message from the Senate, by Mr. Davis, a Senator,

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 365. A bill to authorize John S. Woodard to convey certain real estate.

Mr. Ford, from the committee on enrolled bills, made the following report :

MR. SPEAKER:

The committee on enrolled bills have compared the following enrolled bill of the House with the original, and find it correctly reported :

No. 57. An act to incorporate the Brownstown and Scipio Railroad Company.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Hankins, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bills with engrossed bills, and find them correctly enrolled :

No. 114. An act to authorize the inspection of hay in the several counties in this State ;

No. 155. An act vacating a certain State road therein named ;

No. 167. An act to change the name of Melissa Davis to Melissa Emeline Miller ;

No. 211. An act authorizing the Board of Madison county Commissioners to do a certain act ;

No. 294. An act to locate a State road in Allen and De Kalb counties ;

No. 295. An act regulating the sale of spirituous liquors in the town of Centreville, in Wayne county ;

No. 296. An act to authorize the Board of Commissioners to lease the Seminary in the county of Wayne ;

No. 297. An act to incorporate the town of Clinton ;

No. 317. An act in reference to the fees of the clerk of Sullivan county ;

No. 318. A bill for the relief of Dempsey Linton, of Randolph county ;

No. 321. An act to authorize the Board of Commissioners of the county of Grant to order an election for an additional justice of the peace in Centre township, and for other purposes ;

No. 322. An act to authorize the board doing county business in the county of Dubois to levy or dispense with a road tax, at their discretion ;

No. 325. A bill for the relief of Lyria Aldrich ;

No. 326. An act to amend the seventy-sixth section of the fifteenth chapter of the Revised Statutes ;

No. 329. A bill for the relief of the purchasers of school lands in the counties of Carroll and Clinton ;

No. 332. An act providing for the survey and record of roads in Elkhart county ;

No. 333. An act to authorize the sale of the Library in Decatur county ;

No. 361. An act to authorize Libbeus Frisbie, of the county of Crawford, to build a toll bridge across Blue river, in said county ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President.

Mr. Ford, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill of the House and find it correctly reported :

No. 44. An act relative to elections in Jackson county.

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed engrossed bills and joint resolutions of the House, without amendment, as follows :

No. 477. An act for the relief of Abraham Perkins, late collector of Daviess county ;

No. 480. An act for the relief of certain persons therein named ;

No. 490. An act to change a State road, in Delaware county ;

No. 491. A joint resolution in relation to certain canal funds ;

No. 492. A joint resolution of thanks to Elhanna Moberly ;

No. 493. A joint resolution accepting the colors of the third Indiana volunteers ;

No. 497. An act to authorize the building of a Levee, in Vigo county ;

No. 498. An act to change the location of a State road therein named ;

No. 499. An act to revive an act, to incorporate the town of Belleville, Hendricks county, approved Feb. 8th, 1836, and to amend the same ;

No. 500. An act to give additional Revised Statutes of 1843, to the county of Randolph ;

No. 502. An act to locate a State road, in the county of Delaware, Madison, and Grant ;

No. 504. An act to define the width of roads in Clinton county ;

No. 506. A joint resolution in relation to expenses incurred by this State, in raising volunteers for the Mexican war ;

Mr. Orr presented the petition of Joseph Anthony ;

Which was laid on the table.

Also the petition of Joseph Anthony, in relation to the vacation of certain alleys therein named ;

Which was referred to the committee on corporations.

Mr. Orr offered the following resolution, which was not adopted:

Resolved, That the committee on military affairs, be required to report forthwith, on the resolutions some time since referred to them, tendering a vote of thanks to our brave volunteers, or give the reason why they do not.

Mr. Prather made the following report :

MR. SPEAKER :

The committee on ways and means to whom was referred the memorial of Geo. Bently, of Harrison county, have had the same under consideration, and have directed me to report that it is inexpedient to legislate further thereon, and ask to be discharged from further consideration thereof, in which the concurrence of the House is respectfully asked ;

Which was concurred in.

Mr. Roache made the following report :

MR. SPEAKER :

The committee on the judiciary to which was referred sundry resolutions on the subject of a change of the existing laws of this State, relative to writs in foreign and domestic attachment, have had the same under consideration, and directed me to report the following bill and recommend its passage ;

No. 520. A bill to amend the 41st chapter of the Revised Statutes of 1843 ;

Was read a first and second times, and laid on the table.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, without amendment, to-wit.:

No. 234. An act to require the trustees of the Indiana University, to report to the General Assembly ;

No. 315. An act to incorporate the Peru, Rochester, Plymouth, and South Bend Railroad Company ;

No. 349. An act to change a part of the Fort Wayne and Indianapolis State road, in the counties of Wells and Huntington ;

No. 351. An act to encourage the organization of Fire Companies ;

No. 354. An act changing the name of William Jackson to William Jackson Morgan ;

No. 355. An act authorizing the Board of Commissioners of Elkhart county, to direct the sale of certain school lands ;

No. 374. An act relative to high waters in the county of Jackson ;

No. 378. An act to establish a State road on the part of the county line dividing the counties of Wayne and Randolph ;

No. 379. An act making the side cut, constructed by the Delphi Storage and Forwarding Company, a part of the Wabash and Erie canal ;

No. 381. An act to incorporate the town of Washington, Wayne county, Indiana ;

No. 382. An act to incorporate the English and German Evangelical Lutheran St. Paul's Church, in the county of Dearborn ;

No. 383. An act to incorporate the town of Eaglevillage, in Boone county ;

No. 384. An act to incorporate the town of Columbus, in Madison county ;

No. 418. An act making additional allowance to the Secretary of State ;

No. 429. An act declaring certain acts therein named, in force ;

No. 434. An act regulating the width of county roads, in Marion county ;

No. 457. An act giving further time to the widow of David Browning, deceased, and to the creditors of the estate of said decedent to file claims against said estate ;

No. 459. An act to incorporate the Peru and Wabash Free Bridge Company ;

No. 461. An act to incorporate the Henry county Turnpike Company ;

No. 463. An act to confirm to Mary Williams, the sale of a lot in Pittsburgh ;

No. 465. An act to legalize the incorporation of the Mount Hope Cemetery, near Peru, and for other purposes ;

No. 468. An act extending the provisions of an act therein named, to the county of Wells ;

No. 469. A joint resolution in relation to the Education Society of Indiana ;

No. 470. An act to legalize the sale of certain lands ;

No. 471. An act to locate a State road, in Fountain county ;

No. 476. An act to amend an act, granting the citizens of Lawrenceburgh, a city charter ;

Mr. Roache made the following report :

MR. SPEAKER :

The committee on the judiciary to which was referred the petition of Robert Gullett, and sundry other citizens of Posey county, praying the passage of a law to prevent traffic in public lands, have had the same in consideration, and directed me to report that legislation on the subject-matter of the petition is inexpedient, and ask to be discharged from its further consideration ;

Which was concurred in.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, without amendment, entitled :

No. 179. An act to authorize Peter Wire and others, to build a mill dam across White river in Hamilton county ;

No. 207. An act repealing so much of section 233, of chapter 30 of the Revised Statutes of 1843, as requires the probate court to fix the time of sales of real estate by executors and administrators ;

No. 227. An act extending the time for supervisors to work their roads in Spencer county ;

No. 230. An act to authorize the county auditor and treasurer of Sullivan county, to make set offs in certain cases ;

No. 212. An act authorizing Albert A. Siddall, to sell certain stone in Madison county ;

No. 385. An act to better enable the citizens of congressional township No. 20 north, of range No. 5 east, in the county of Hamilton, to sell school lands ;

No. 391. An act authorizing Avery Allen of Posey county to make a deed in a certain case, to certain lands in said county ;

No. 408. An act levying a tax on the inhabitants of the town of Marion, and its additions for a certain purpose ;

No. 411. An act authorizing supervisors to work a certain road in Ohio county ;

No. 412. An act to improve the breed of horses in the county of Miami ;

No. 413. An act to compensate William Robinson of Franklin county, for certain services therein named ;

No. 415. A joint resolution in relation to volunteers who have settled upon government lands in the Great Miami Reserve ;

No. 420. An act to repeal an act entitled " An act to provide for a uniform mode of doing township business in Clay county ;"

No. 425. An act amendatory to an act establishing a free turn-pike road in the counties of Allen, Whitley, Kosciusko, and Marshall ;

No. 426. An act for the incorporation of the York Guards ;

No. 427. An act for the relief William A. Richardson and others ;

No. 430. An act changing the name of Andersontown, in Madison county, to that of Anderson ;

No. 431. An act for the relief of Eleanor Leas ;

No. 432. An act to vacate an alley in the town of Greencastle ;

No. 436. An act changing the name of the town of Alton, in the county of Crawford ;

No. 437. An act to amend an act entitled " An act to repeal the

act entitled 'an act to amend the fourth article of the sixteenth chapter of the Revised Statutes of 1843, so far as the same relates to the county of Washington and Jackson,' approved January 5, 1844, so far as the same relates to the county of Washington ;"

No. 441. A joint resolution in relation to a mail route from Belleville in Hendricks county, to Lebanon in Boone county, in the State of Indiana ;

No. 445. An act authorizing the State Librarian to procure a suitable book, in which to record the names of volunteers from the State of Indiana ;

No. 446. An act to amend the 35th section, of article 2, of chapter 25, of the Revised Statutes of 1843 ;

No. 448. A joint resolution for a mail route from Brownstown to Nashville ;

No. 482. An act to authorize the commissioners of Vigo county, to procure a seal for the probate court ;

No. 483. An act to revive an act for the location of a State road in the counties of Dubois and Martin ;

No. 485. An act to repeal a part of section 90, article 3, chapter 16 of the Revised Statutes of 1843, so far as relates to Shelby county ;

No. 486. An act to locate a State road in Clay and Parke county ;

No. 495. An act making the education of the blind in Indiana free ;

No. 496. An act making the education of the deaf and dumb in Indiana free ;

No. 421. An act to incorporate the Clinton Iron Manufacturing Company ;

No. 419. An act to extend the February term of the probate court in the county of Washington ;

The following message was received from his Excellency, the Governor, by Mr. Sleeth, his private Secretary :

MR. SPEAKER :

I am directed by his Excellency, the Governor, to inform the House of Representatives, that he did approve and sign the following bills and joint resolutions, to-wit :

No. 311. An act for the procuring of additional copies of the Revised Statutes of 1843, in the county of Kosciusco ;

No. 340. An act declaring George W. Bower, Esq., successor in office to William Dehority, late justice of the peace in Madison county, Indiana ;

No. 265. An act in relation to a certain State road in the county of Daviess ;

No. 116. An act to regulate clerks fees in the probate court of Jackson county ;

No. 344. A bill for the more speedy completion of a portion of the Indiana Hospital for the insane ;

No. 279. An act to authorize John G. Johnson of Owen county, to correct a mistake in a certain deed ;

No. 306. An act legalizing the acts of the probate judges of Lagrange county ;

No. 325. A bill to extend the provisions of a certain act therein named to the counties of Jay and Blackford ;

No. 264. An act declaring Scott Noel, the successor in office as justice of the peace, of Robert M. Gilkeson ;

No. 112. An act to amend an act regulating the mode of doing township business in the county of Elkhart ;

No. 453. An act to revive an act entitled an act to authorize certain individuals therein named to build a toll bridge across the Kanawha river, at Sherwood's Ferry in Porter county, approved February 1, 1840 ;

No. 55. An act for the relief of Collins Adams of St. Joseph county ;

No. 106. An act lopping off all the extra allowance to the clerk and sheriff of Delaware county, now allowed by the board of the same ;

No. 273. An act to provide for a county library in the county of Pulaski, and for other purposes ;

No. 91. An act concerning the State Library ;

No. 92. An act fixing jurors fees before justices courts in the county of Delaware ;

No. 97. An act to incorporate the town of New London, Howard county ;

No. 309. An act defining the duties of the county treasurer of Shelby county ;

No. 307. An act concerning the duties of clerk's of the circuit courts of this State ;

No. 6. An act authorizing the sale of certain school lands in county of Franklin ;

No. 350. An act forming section 4, 5, 6, 7, 8, 9, 13, 17, and 18, in township 14 north, of range 6 east, into one school district ;

No. 359. An act to authorize the commissioners of Vermillion county, to establish one additional place of voting in Helt township in said county ;

No. 357. A joint resolution on the subject of the laws of Indiana territory for the years 1801, 1802, 1803, and 1804 ;

No. 356. A joint resolution relative to the Indiana State Historical Society ;

No. 278. An act to improve the roads in the county of Switzerland ;

No. 8. An act to provide for assessing and collecting a road tax upon lands and town lots in Madison county ;

No. 280. An act to change a certain State road therein named in the county of Jackson ;

No. 42. An act to provide for the selection of petit jurors, in the county of Warren ;

No. 103. An act in relation to the fees of the treasurer of Owen county, in certain cases ;

No. 12. An act to make the supervisors of Scott county to make their returns to the boards doing county business, on the first Monday in March annually ;

No. 52. An act for the selecting of jurors in the county of Delaware ;

No. 22. An act for the relief of the surplus revenue fund belonging to Decatur county ;

No. 11. An act providing for the sale of certain school lands in the county of Dearborn, belonging to town 9, range 3 west, in Franklin county ;

No. 298. A joint resolution of sympathy with Pope Pius the ninth, for his efforts in behalf of liberal reform in his dominions ;

No. 163. An act to provide for the election of township assessors and collectors, in Jennings county, and for other purposes ;

No. 85. An act to legalize the sale of real estate by Peter F. Navare ;

All of which originated in the Senate.

February 14th, 1848.

The following message was received from his Excellency, the Governor, by Mr. Sleeth his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives, that he did on this day approve and sign the following bills:

No. 44. An act relative to elections in Jackson county ;

No. 66. An act to abolish the office of school commissioner in the county of Floyd, and for other purposes ;

No. 4. An act to amend an act entitled an act to establish a State road, on a portion of the dividing line of the counties of DeKalb and Steuben, approved January 2, 1847 ;

No. 63. An act extending the time for holding the several terms of the probate court of Madison county ;

No. 74. An act regulating special elections ordered by the Governor ;

No. 23. An act to locate a State road in the counties of Allen and DeKalb ;

No. 30. A joint resolution in relation to increasing the clothing pay of volunteer non-commissioned officers and privates, belonging to our armies in Mexico ;

No. 31. An act relative to probate judges in the county of Porter ;

No. 210. An act to change the name of Bazaleel Thomas to that of Basil Thomas ;

No. 170. An act to locate a State road in the counties of St. Joseph and Laporte ;

No. 552. An act to amend an act entitled an act to amend an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Miami county by fire, and to provide for the election of a commissioner to restore said records, approved January 13, 1845 :

No. 36. An act to authorize the board doing county business in Orange county to dispense with a road tax ;

No. 200. An act repealing an act therein named ;

No. 129. An act to repeal an act therein named ;

No. 247. An act to revive an act entitled an act to incorporate the town of Muncie in Delaware county ;

No. 255. An act to vacate part of the Indianapolis and Centreville State road ;

No. 254. A bill authorizing the probate court of Marion county to order deeds to be made for certain lots in Laporte, Laporte county Indiana ;

No. 158. An act to locate a State road in the counties of White and Carroll ;

No. 321. An act to authorize the board of commissioners of the county of Grant, to order an election for an additional justice of the peace in Centre township, and for other purposes ;

No. 317. An act in reference to the fees of the clerk of Sullivan county ;

No. 297. An act to incorporate the town of Clinton ;

No. 296. An act to authorize the board of commissioners to lease the seminary in the county of Wayne ;

No. 211. An act authorizing the board of Madison county commissioners, to do a certain act ;

No. 333. An act to authorize the sale of the library of Decatur county ;

No. 246. An act reducing the fee for recording deeds in Delaware county ;

No. 68. An act to incorporate the town of Peru ;

No. 20. An act declaring a misprint in an act to amend the practice in the probate court, approved January 28th 1847 ;

No. 332. An act providing for the survey and record of roads in Elkhart county ;

No. 329. A bill for the relief of the purchasers of school lands in the counties of Carroll and Clinton ;

No. 326. An act to amend the seventy-sixth section of the 15th chapter of the Revised Statutes ;

No. 325. A bill for the relief of Lyria Aldrich ;

No. 322. An act authorizing the board doing county business in the county of Dubois to levy or dispense with a road tax, at their discretion ;

No. 160. An act to incorporate the German, Evangelical, Lutheran St. John's church in Dearborn county ;

No. 292. An act to relocate a State road in the county of Delaware ;

No. 260. An act authorizing the auditor of Franklin county to sell certain school lands therein named ;

No. 172. An act to authorize John Webster to build a mill dam across the little St. Joseph river in DeKalb county ;

No. 294. An act to locate a State road in Allen and DeKalb counties ;

No. 167. An act to change the name of Malissa Davis to Malissa Emeline Miller ;

No. 155. An act vacating a certain State road therein named ;

No. 361. An act to authorize Libbeus Frisbie of the county of Crawford to build a toll bridge across Blue river in said county ;

No. 295. An act regulating the sale of spirituous liquors in the town of Centreville in Wayne county ;

No. 243. An act authorizing the sheriff of Dearborn county to use the jail at Wilmington for a certain time therein named ;

No. 248. An act authorizing county auditors to make deeds in certain cases ;

No. 259. An act to locate a State road in the counties of Franklin and Ripley ;

No. 146. An act to repeal an act therein named ;

No. 318. A bill for the relief of Dempsey Linton of Randolph county ;

No. 28. An act declaring certain words in section 43 chapter 16 of the Revised Statutes of 1843, a misprint ;

No. 168. An act to authorize Nottingham Merser to build a mill dam across the Wabash river in Adams county ;

No. 166. An act declaring a misprint in the first section of an act of the Local Laws of 1847, in relation to the surplus revenue agent of Perry county ;

No. 238. An act to legalize the acts of Michael Shiel a justice of the peace of Hamilton county ;

No. 235. An act to authorize Sarah Shannon to convey certain real estate ;

No. 240. An act in relation to road tax in the county of Howard ;

No. 29. An act granting additional compensation to the probate judge of St. Joseph, Lagrange, and Bartholomew counties ;

No. 291. An act to authorize the voters of certain townships to sell their school lands ;

No. 214. An act to provide for the improvement of the town of Williamsport ;

No. 216. An act to authorize the clerk of Sullivan county to offer and sell certain lots and lands therein named, at the Court House door in Sullivan county ;

No. 219. An act to repeal an act entitled an act defining the duties of county treasurer, passed January 13th, 1845 ;

No. 455. An act to legalize an act of the board of commissioners of Madison county ;

No. 284. A joint resolution of thanks to Captains Simonson and Ford ;

All of which originated in the House of Representatives.

February 14th, 1848.

Mr. McKinzie a member of the judiciary committee made the following report :

MR. SPEAKER :

The judiciary committee to whom was referred a resolution of this House, requesting said committee to enquire into the expediency of changing the mode of taking and hearing testimony in all proceedings in chancery in the several courts of this State, have had that subject under consideration and directed me to report the following bill and recommend its passage, viz :

No. 519. A bill changing the mode of taking and hearing testimony in all proceedings in chancery in the several courts of this State ;

Was read a first time and ordered to a second reading.

Mr. Roache made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred the petition of Jesse W. Hungate and others, praying for the amendment of a certain act therein named, have had the same under consideration and directed me to report the same back to the House, and recommend its reference to the committee on education ;

The House refused to concur in the report, and the petition was laid on the table.

Mr. Roache made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred the petition of William Potter and others for a change in filing declarations and pleas in courts of justice, have had the same under consideration, and directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from its further consideration ;

Which was concurred in by the House.

Mr. Roache made the following report :

MR. SPEAKER :

The committee on the judiciary to whom was referred the petition of D. B. Woods and others, to extend the jurisdiction of justices of the peace, have had the same under consideration and directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from its further consideration ;

Which was concurred in by the House.

Mr. Roache made the following report :

MR. SPEAKER :

The committee on the judiciary to which was referred "the petition of Samuel Judson and 75 others, of the county of Elkhart, on the subject of land limitations," have had the same under consideration, and have directed me to report that it would be inexpedient to comply with the prayer of the petitioner now, and ask to be discharged from any further consideration of the subject :

Which was concurred in by the House.

Mr. Short made the following report :

MR. SPEAKER :

The committee on corporations to whom was referred bill, No. 472, "An act to incorporate the Attica Hydrant Company," the petition and remonstrance accompanying the same, have had the same under consideration, and have directed me to report it back to the House without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same :

Said bill was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Shryock offered the following resolution :

Resolved, That the thanks of this House be tendered to the Clerks and Doorkeepers of this House for the faithful and impartial manner in which they have discharged their several duties ;

Which was adopted.

Mr. Shryock introduced,

No. 521. A bill to revive an act, entitled "An act to provide for a more uniform mode of doing township business in the several townships in the several counties therein named," approved February 17, 1838 ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stone presented the following petitions :

Petition of Joseph Kelly and others, praying that all laws now in force granting license to retail spirituous liquors in this State be repealed, and making it a penal offence to give it away ;

Also, petition of Joseph Merryfield and others, praying that all "nostrum mongers" be required to give the composition in the English language of all "nostrums" vended in this State ;

Also, petition of Daniel Hill and 40 others, praying that all laws in this State making color a distinction be repealed ; also to provide by law a trial by jury of fugitives from labor ;

Which were,

On motion,

Laid on the table.

Mr. Thompson of Gibson, introduced,

No. 522. A bill to regulate contracts in certain cases in Gibson county ;

Which was read a first time, and,

On motion,

Was rejected.

Mr. Tinbrook presented the following :

A petition of sundry citizens of Parke county to change an election precinct therein named ;

Which was laid on the table.

Mr. Williams of Knox, made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of Henry O'Reilly, praying for a general Telegraph law which shall secure public and private rights in the operation of the telegraph system, have directed me to report that a similar bill has come from the Senate and passed this House, and that further legislation is inexpedient, and ask to be discharged from the further consideration thereof :

Which was concurred in by the House.

Mr. Williams of Madison, introduced,

No. 523. A bill to authorize the Agent of State to make a settlement with John Burke ;

Which was read three several times, the rules being suspended therefor, and passed ;

Ordered, That the Clerk inform the Senate thereof.

Mr. Winstandley offered the following resolution :

Resolved, That when this House adjourns it will adjourn to meet at half past six o'clock this evening, for the transaction of legislative business ;

Which was not adopted.

Mr. Winstandley offered the following resolution :

Resolved, That the House will, the Senate concurring therein, proceed on to-morrow morning, at half past nine o'clock, by joint ballot of the two Houses, to elect one commissioner for the Indiana Hospital for the Insane ;

Which was adopted.

Mr. Wolfe introduced,

No. 524. A bill to curtail the expenses of the State ; and,

No. 525. A bill for the relief of the voters of Sullivan county ;

Which were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wolfe introduced,

No. 526. A bill in reference to the county surveyor of Sullivan county ;

Which was read a first time, and,

On motion by Mr. Hunt,

Was rejected.

Mr. Dunham introduced,

No. 527. A bill to amend section 134 and 137, of chapter 37, Revised Statutes of 1843 ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Blythe made the following report :

MR. SPEAKER :

The committee on the judiciary, to whom was referred House bill, No. 439, entitled "a bill to confer the right of changing the names of persons, towns, and villages, on the circuit court," have had the same under consideration, and have directed me to report the same back with some slight amendments, and recommend its passage ;

Which amendments were adopted by the House.

Said bill was ordered to be engrossed for a third reading.

A message from the Senate, by Mr. Davis, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed engrossed bill thereof, entitled,

No. 287. An act in relation to the New Albany and Vincenne's Turnpike road ;

In which the concurrence of the House is respectfully requested.

Said bill, in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

No. 234. A bill, (Senate,) to amend an act, entitled an act, to incorporate the White Water Valley canal company, approved, January 20, 1842, was taken up ;

The question pending at a former adjournment was,

"Shall the bill and amendment be indefinitely postponed ?"

It was decided in the negative.

Mr. Meredith then withdrew the amendment offered by him heretofore, and moved to amend said bill, as follows :

"Strike out sixty-five cents and insert fifty cents, in the 32d and 33d lines of the first section of the bill,

Strike out of 5th section, \$50,000, and insert \$75,000 ;"

Strike out after the word "authorities," in the 6th line of the 4th section, "*or to any company of individuals* ;

On which motion,

The ayes and noes being demanded by Messrs. Campbell and Holden,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blackstone, Blythe, Bryant, Chambers, Coble, Commons, Criswell, Dimmett, Dole, Doyle, Frazer, Gordon, Harvey, Hetfield, Huddleston, Hunt, Kinney, Lane, Lichteberger, Line, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Norris, Prather, Richmond, Roache, Robinson, Sackett, Sullivan, Thompson of Carroll, Trimble, Williams of Knox, and Winstandley—39.

Those who voted in the negative are,

Messrs. Campbell, Dougherty, Hankins, Jones of Switzerland, and Mr. Speaker—5.

No quorum voting, the question was not decided.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the engrossed bill thereof, entitled,

No. 324. An act granting certain powers to the probate court of Dearborn county ;

In which the concurrence of the House is respectfully requested.

Said bill was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Meredith,

Leave of absence was granted to Mr. Blackstone, for the remainder of the session.

On motion by Mr. Lane,

Leave of absence was given to Mr. Harlan, for the remainder of the session.

On motion by Mr. Miller,

The House adjourned until to-morrow morning, 9 o'clock.

TUESDAY MORNING, FEBRUARY 15, 1843.

The House met.

On motion by Mr. Meredith,

The reading of the journal was dispensed with.

On motion by Mr. Meredith,

No. 234. A bill, (Senate,) to amend an act, entitled an act, to incorporate the White Water Valley canal company, approved January 20th, 1842, was taken up ;

The question pending at the last adjournment was,

"Shall the amendment offered by Mr. Meredith, to said bill, be adopted?"

It was decided in the affirmative.

Mr. Gordon moved to amend said bill as follows :

Strike out the last section and insert the following,

SEC. —. This act to be in force from and after its passage ;
Provided, That the act passed at the present session of the General Assembly, amending the charter of said company, does not answer the purposes of said company ;

Which was adopted.

Said bill was then considered as engrossed, read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harvey, on leave granted, made the following report :

MR. SPEAKER :

The committee of free conference, on the part of both Houses, appointed to take into consideration the disagreement of the two Houses in relation to the resolution of adjournment, have had the same under consideration, and have instructed me to report that said committee have agreed to fix the time when this Legislature will adjourn *sine die* on Thursday the 17th inst., in which the said

committee respectfully ask the concurrence of the House ; and said committee ask to be discharged from the further consideration of the subject ;

Which was concurred in by the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Brown, on leave granted, made the following report :

MR. SPEAKER :

The committee of free conference, appointed on part of the House in reference to House bill No. 87, entitled "A bill fixing the time of holding circuit courts in the county of Marion and for other purposes," have had that matter under consideration, and have agreed to compromise the differences between the two Houses in the manner following :

Strike out the first section of said bill and insert the following section in lieu thereof, and recommend the passage of said bill as amended :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That hereafter the Marion circuit court shall hold three terms in each year ; the first term to commence on the first Monday in June, the second term on the first Monday in October, and the third time on the first Monday in February in each year ; each term shall continue four weeks if the business thereof shall require it.

Which amendment was adopted, and,

The report concurred in.

On motion by Mr. Dunham,

The rules were suspended and the following bill taken up :

No. 505. A bill (House) making specific appropriations for 1848;

Mr. Miller moved to amend said bill as follows :

Amend by allowing to John D. Defrees the sum of \$356,00 for newspapers furnished the Senate and House of Representatives.

Also, allow Messrs. Chapman and Spann the sum of \$356,00 for newspapers furnished the Senate and House of Representatives.

Which was adopted unanimously.

Mr. Brown moved to amend said bill as follows :

Allow to Morrison & Talbott the sum of \$2,50 for a box of steel pens furnished the House.

Which was adopted unanimously.

Mr. Kinney moved to amend said bill as follows :

Allow Robert Hudson \$6,00 for two days' service as clerk of the committee of the Education Convention,

Which was adopted unanimously.

Mr. Williams of K., moved to reconsider the vote on the engrossment of said bill ;

Which motion did not prevail.

Mr. Williams of K., moved to re-commit said bill with the following instructions :

Section 3—Strike out four and insert three.

Section 13—Strike out six.

Section 15—Strike out seven.

Section 16—Strike out five.

Section 20—Strike out “forty” and insert “horse hire and traveling expenses.”

Section 21—Strike out “three” and insert “one dollar and fifty cents.”

Mr. Wolfe moved to amend the amendment as follows :

Amend by curtailing each officer of the House one third after the first six weeks.

On which motions,

The ayes and noes being demanded by Messrs. Wolfe and Williams of K.,

Those who voted in the affirmative are,

Messrs. Albin, Carr, Cole, Criswell, Dimmett, Dobson, Dole, Dougherty, Doyle, Frazer, Gordon, Graham, Hankins, Hetfield, Huddleston, Hunt, Jones of Bartholomew, Kennard, Major, McConnell, McCormick, McKinzie, Miller, Nimmons, Orton, Sackett, Short, Williams of Knox, Winstandley, and Wolfe—30.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Campbell, Chambers, Commons, Cookerly, Davis, Dunham, Ford, Hall, Harding, Harvey, Holden, Hull, Jones of Switzerland, Kinney, Lane, Lichteberger, Line, Lockwood, Lowe, May, McDonald of Lake, Meredith, Mills, Morrison, Norris, Prather, Richmond, Roache, Robinson, Rulon, Shryock, Sullivan, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, and Mr. Speaker—41.

So said bill was not recommitted.

The question then being,

“Shall the bill pass?”

The ayes and noes being demanded by Messrs. Huddleston and Wolfe,

Those who voted in the affirmative are,

Messrs. Blackstone, Bryant, Campbell, Carr, Chambers, Commons, Davis, Dunham, Ford, Frazer, Fuller, Graham, Hankins, Harding, Hull, Jones of Bartholomew, Kinney, Lane, Lichteberger, Line, Lowe, McDonald of Lake, McKinzie, Meredith, Mills, Orton, Prather, Richmond, Rulon, Shryock, Sullivan, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Winstandley, and Mr. Speaker—37.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Coble, Cole, Cookerly, Dimmett, Dobson, Dole, Dougherty, Doyle, Gordon, Hall, Harvey, Hetfield, Huddleston, Hunt, Jones of Switzerland, Kennard, Lockwood, Major, May, McConnell, McCormick, Miller, Morrison, Nimmons, Robinson, Sackett, Short, Williams of Knox, and Wolfe—31.

So said bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Harvey,

No. 481. A bill (House) making general appropriations for the year 1848 ;

Which was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 312. An act to establish a certain State road therein named ;
In which the concurrence of the House is respectfully requested.

Said bill, in said message mentioned,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Harvey,

The House bills on the files of the House were taken up.

BILLS ON THEIR THIRD READING.

No. 201. A bill to provide for taking the sense of the qualified voters of the State of Indiana, on calling a convention to alter, revise, or amend the constitution of this State ;

Was read a third time, and.

The question being,

" Shall the bill pass ?"

The ayes and noes being demanded by Messrs. Harvey and Prather,

Those who voted in the affirmative are,

Messrs. Campbell, Carr, Chambers, Cookerly, Davis, Dimmett, Dobson, Dougherty, Doyle, Dunham, Ford, Hetfield, Holden, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Lowe, Major, May, McConnell, McDonald of Lake, Mills, Nimmons, Norris, Roache, Rulon, Short, Shryock, Stone, Sullivan, Thompson of Gibson, Tinbrook, Trimble, Williams of Knox, Winstandley, and Wolfe—39.

Those who voted in the negative are,

Messrs. Baldwin, Blythe, Bryant, Coble, Cole, Commons, Criswell, Dole, Frazer, Fuller, Gordon, Graham, Harding, Hankins, Harvey, Huddleston, Hull, Hunt, Kinney, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Orton, Parker, Prather, Richmond, Robinson, Sackett, Terry, Thompson of Carroll, and Mr. Speaker—33.

So said bill passed.

Ordered, That the Clerk inform the Senate thereof.

No. 276. A bill to amend the 5th and 6th sections of the 1st article of the 55th chapter of the Revised Statutes of 1843, regulating the jurisdiction of the justices of the peace in criminal cases ;
Which was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 287. A bill to amend article 11 of chapter 30 of Revised Statutes of 1843 ;
Which was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 328. A bill to amend the 9th article of the 47th chapter of the Revised Statutes ;

Mr. Kinney moved to amend said bill as follows :

“That in all cases where the circuit court gives judgment in a suit appealed from the judgment of a justice of the peace, said court shall have power to make such equitable partition of the costs as justice shall require ;”

Which was not adopted.

Mr. Dunham moved to refer said bill to a select committee, with the following instructions :

“Amend so as not to include in the costs on the appeal the costs of the courts below in the cases provided for in that section, having the costs below as their taxes ;”

Which motion prevailed.

Whereupon the Speaker appointed Messrs. Dunham, Harvey, and Dougherty said committee.

Mr. Ford, on leave granted from a select committee, made the following report :

MR. SPEAKER :

The select committee to which was referred bill of the Senate, No. 291, entitled "An act in relation to the real estate of John R. Fischli, late of Jackson county, deceased," together with an amendment of the House thereto, have had the same under consideration, and unanimously direct me to report the bill and amendments back to the House, and recommend that the amendment be laid upon the table, and the bill be amended by striking out the word "next," in section 2, and insert 1849, and recommend its passage, and ask to be discharged from its further consideration ;

Which report was concurred in by the House, and,
Said amendment adopted.

Said bill was then read a third time, and,

The question being,

"Shall the bill pass?"

The ayes and noes being demanded by Messrs. Kinney and McKinzie,

Those who voted in the affirmative are,

Messrs. Blythe, Bryant, Carr, Chambers, Commons, Cookerly, Davis, Dimmett, Dobson, Dougherty, Dunham, Ford, Frazer, Harding, Harvey, Hetfield, Hull, Hunt, Jones of Bartholomew, Jones of Switzerland, Kennard, Lane, Lichteberger, Line, Lockwood, Lowe, Major, May, McConnell, Morrison, Nimmons, Norris, Prather, Richmond, Roache, Rulon, Sackett, Shryock, Sullivan, Thompson of C., Tinbrook, Trimble, Williams of Knox, and Wolfe—44.

Those who voted in the negative are,

Messrs. Albin, Baldwin, Campbell, Cole, Criswell, Dole, Doyle, Gordon, Graham, Hankins, Holden, Kinney, McKinzie, Meredith, Miller, Robinson, and Mr. Speaker—17.

No quorum voting, the question was not decided.

No. 362. A bill authorizing an additional place of holding elections in Hamilton township, in Jackson county ;

No. 435. A bill to repeal section 88 of chapter 13, of the Revised Statutes of 1843, and defining the duties of county auditors in county seminary funds ;

Were each read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 439. A bill to confer the power on the circuit court of changing the names of persons and of towns and villages ;

Was read a third time, and,

On motion,

Was laid on the table.

No. 451. A bill to authorize A. and A. J. Helton to raise their mill-dam ;

Mr. Lowe moved to amend said bill as follows :

Amend by adding the following proviso :

"Provided, Said A. & A. J. Helton, shall provide either a gap or slope in said dam, fifty feet wide, so as to ensure and maintain a free and safe navigation for flat boats, and other crafts descending said stream, which gap or slope, shall be kept open, and in nowise obstruct such free and safe navigation of such stream at all times, when the same is in a navigable stage, immediately above and below said dam ;

Which was adopted.

Said bill was then read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Houghton, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof, to-wit.:

No. 328. An act to repeal an act, entitled an act, to improve the navigation of Lost river, so far as relates to Martin county ;

In which the concurrence of the House of Representatives is respectfully requested.

Said bill in said message mentioned,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following bills with the originals, and find them correctly enrolled, to-wit.:

No. 145. An act for the relief of the tax payers in this State ;

No. 196. An act to authorize a company to construct the Aurora and Laughery Turnpike ;

No. 197. An act to authorize a company to construct a Turnpike road from Mooresville to Aurora, in Dearborn county ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Frazer, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled, with the engrossed bill, and find it correctly enrolled, to-wit.:

No. 425. An act amendatory to an act, establishing a free Turnpike road in the counties of Allen, Whitley, Kosciusko, and Marshall ;

Whereupon, the Speaker singed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Dunham, from the committee on free conference, made the following report :

MR. SPEAKER :

The select committee, appointed to act with a similar committee on the part of the Senate, in counting and examining the State bonds, then in the hands of Michael G. Bright, Esq., the Agent of State, and which were surrendered under the act, approved January 19th, 1846, entitled "An act, to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal, to Evansville," and the act supplementary thereto, approved January 27th, 1847, would respectfully report, that they have discharged the duty assigned them, by examining and counting said bonds and the coupons thereto attached, and comparing them with the books of said Agent, and with his report made to the General Assembly at its present session. We found said bonds and coupons in his possession, to correspond with his registry thereof, and with said report, with the following exceptions, to-wit.:

There were missing, ten bonds, surrendered by Charles Stetson, comprising eight internal improvement bonds and two Madison and Indianapolis Railroad bonds, five bonds surrendered by Edwin Croswell, comprising three internal improvement bonds, and two Madison and Indianapolis Railroad bonds, Ambrose C. Kingsland, one internal improvement bond, August Belmont, one hundred and fifty-five bonds, comprising one hundred and fifty-four Wabash and Erie canal bonds. Ten Madison and Indianapolis Railroads bonds, and one Bank bond. These are bonds that have been surrendered subsequent to the 1st July, 1847, and indeed since said Agent left the city of New York, as your committee was informed by said Agent, and that in consequence thereof, said bonds were still remaining in the office of said Agent, in the city of New York.

Your committee also found one coupon, missing from the bonds

of Richard W. Wood, but your committee think it but just to Mr. Bright, to say that from the condition in which said coupons were surrendered, in almost every case, more or less of them having been severed from the bonds, and the separated coupons, in some cases, being pinned to, or wafered on the bonds, and in some cases, tied up in packages and promiscuous bundles, and sent in to said Agent, in a state of confusion. It is a matter of very great surprise, not that this coupon has been lost, but that more of them were not lost or mislaid; and the fact that this is the only one missing, speaks more for the careful and correct manner in which Mr. Bright has discharged this arduous portion of the duties of his office, than any thing that could be said by your committee. Said bonds and coupons examined and counted, were all properly cancelled and put in packages, and so marked, as to afford an easy and speedy reference either to said bonds, or to the books wherein they were conveniently and systematically registered. Indeed your committee cannot speak too highly of the excellent and safe manner in which they found every thing connected with said bonds and books arranged; and it is but due to Mr. Bright, to say in conclusion, that he rendered your committee every assistance in his power, to enable them, thoroughly to discharge the duties assigned them.

C. L. DUNHAM,
S. MEREDITH.

The following message was received from His Excellency, the Governor, by James M. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor, to inform the House of Representatives, that he did on this day, approve and sign the following bills and joint resolutions, to-wit:

No. 419. An act to extend the February term of the probate court, in the county of Washington;

No. 339. An act to repeal the 4th section of the 47th chapter of the Revised Statutes, so far as relates to Elkhart county;

No. 195. An act to provide for the construction of a Railroad from Martinsville, in Morgan county, to Point Commerce, in Green county;

No. 187. An act to authorize the location and establishment of a State road from Bedford, in Lawrence county, by Clear Spring, in Jackson county, to Columbus, in Bartholomew county;

No. 456. An act to amend an act, to provide for the election of prosecuting attorneys by the people, approved January 27, 1847;

No. 136. An act for the relief of Simon and John Bottorff;

No. 206. An act to authorize the sale of lots for delinquent taxes in the town of Brownstown;

No. 267. An act to change the name of Charlotte Leggett Fox Dubois to Charlotte Fox Dubois Ladd;

No. 234. An act to require the Trustees of the Indiana University to report to the General Assembly ;

No. 445. An act authorizing the State Librarian to procure a book in which to record the names of the volunteers from the State of Indiana ;

No. 415. A joint resolution in relation to Volunteers who have settled on Government lands in the Great Miami Reserve ;

No. 363. An act authorizing the Auditor of Vigo county to sell certain tracts of land therein named ;

No. 470. An act to authorize the sale of certain lands ,

No. 43. An act for the relief of the widow and the heirs of Benjamin Inman, late of Green county, deceased.

A message from the Senate by Mr. Osborn, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bill of the House without amendment, entitled ;

No. 503. An act for the relief of Joseph I. Stretcher, and Robert N. Allen, Commssioners appointed by the Governor, under a joint resolution of the last session of the General Assembly, providing for the removal of the remains of the late Hon. Tilghman A. Howard from the State of Texas to the State of Indiana.

A message from the Senate by Mr. Osborn, a Senator :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House without amendment, to-wit.:

No. 474. An act for the relief Lucian Barbour, John Elder, and Edwin J. Peck ;

No. 375. An act for the benefit of Michael Riley.

A message from the Senate, by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, entitled :

No. 99. An act in regard to bonds of county officers ;

No. 153. An act to authorize William Horner to convey certain real estate ;

No. 253. An act to amend section 4, article 1, chapter 7, of the Revised Statutes of 1843 ;

No. 268. An act to incorporate the town of Winchester, in Randolph county, Indiana ;

No. 304. An act to incorporate a certain act therein named ;

No. 424. An act to exempt the property of blind and deaf and dumb persons ;

No. 472. An act to incorporate the Attica Hydraulic Company ;

No. 507. An act to authorize Aaron Houghton, administrator, to compound a certain claim ;

No. 508. An act requiring the school commissioner of Marion county to give bond and take oath of office ;

No. 509. An act for the relief of James Vanblaricum ;

No. 512. An act to incorporate the Vermillion Academy ;

No. 518. An act to authorize the location of a State road on the county line of Lake and Porter counties ;

No. 523. An act to authorize the Agent of State to make settlements with John Burke ;

No. 527. An act to amend sections 134 and 137, of chapter 37, of the Revised Statutes ;

No. 373. An act to amend an act entitled an act authorizing a company to construct a turnpike road from Cambridge City to Muncietown ;

No. 444. An act collecting into one the different acts fixing the times of holding the courts in the 11th circuit, and changing the time of holding the Tipton circuit court.

A message from the Senate, Mr. Rousseau, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the report of the committee of free conference, fixing the time for the adjournment of the present General Assembly on Thursday the 17th instant.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendment proposed by the joint committee of free conference to the bill of the House No. 87, entitled "an act fixing the time of holding circuit courts in the county of Marion, and for other purposes.

Also, I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the amendment of the House to the bill of the Senate No. 296, entitled an act for the relief of replevin bail.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled :

No. 296. An act for the relief of replevin bail.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate have passed the following engrossed bill of the House, without amendment :

No. 422. An act in relation to that portion of the Northern Division of the Central Canal which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county.

The following message was received from his Excellency the Governor, by James M. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on yesterday approve and sign the following bills and joint resolutions, to-wit :

No. 128. An act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter ;

No. 86. An act to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same ;

No. 231. An act to enable the auditor of St. Joseph county to make a deed in a certain case ;

No. 192. An act in relation to the pay of grand and petit jurors in certain counties therein named ;

No. 308. An act for the relief of Thomas M. Gibson and others ;

No. 198. An act in relation to school funds in the county of Daviess ;

No. 96. An act changing the venue in the case of the State of Indiana against Willis M. Miller from the county of Daviess in the tenth judicial circuit of the State of Indiana to Green county, in the same judicial circuit ;

No. 162. An act to locate a State road in Madison and Hamilton counties ;

No. 46. An act to fix the time of holding the probate courts in the county of Putnam ;

No. 5. An act to change the time of holding the probate courts in Clark county ;

No. 59. An act to authorize the trustees of school district No. 1, in township 37 north, range 5 east, in Elkhart county, to raise an additional tax ;

No. 1. A joint resolution relative to the reduction of postage on newspapers and periodicals ;

No. 293. An act authorizing the location of a State road in the counties of Clinton and Howard ;

No. 45. An act to extend the jurisdiction of justices of the peace in the counties of Lake and Porter ;

No. 161. An act to revise the road laws in the counties of Lake and Porter ;

No. 401. An act declaring certain lots in the town of Greencastle without the corporation of said town ;

No. 232. An act declaring the meaning of an act to amend an act amendatory to an act incorporating Michigan City, approved February 15, 1841 ;

No. 110. An act for the better securing of titles in Spencer and Dubois counties ;

No. 312. An act in relation to the duties of Auditor of State and commissioners of sinking fund in certain cases therein named ;

No. 180. An act to repeal part of an act authorizing the State Bank of Indiana to lay off, plat, and record in out lots certain lands adjoining and lying near to the town of South Bend in St. Joseph county.

Mr. Holden, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following bill, No. 363, " An act authorizing the auditor of Vigo county to sell certain tracts of land therein named," and find it correctly enrolled;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate, for the signature of the President thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the amendment of the House, to the bill of the Senate, entitled,

No. 87. An act changing the time of holding courts in the county of Knox ;

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, without amendment, to-wit.:

No. 473. An act to incorporate the Grand Lodge of the Oriental Evanic Order of Brothers ;

No. 521. An act to revive an act, entitled an act, to provide for a more uniform mode of doing township business, in the several townships in the several counties therein named, approved Feb. 17th, 1838.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, report to the House, that they have compared the following bill :

No. 473. An act to incorporate the Grand Lodge of the Oriental Evanic Order of Brothers ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Dougherty, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled with the engrossed bills, and find them truly enrolled :

No. 465. An act to legalize the incorporation of the Mount Hope Cemetery, near Peru, and for other purposes ;

No. 375. An act for the benefit of Michael Riley ;

No. 474. An act for the relief of Lucien Barbour, John Elder, and Edwin J. Peck ;

No. 593. An act for the relief of Joseph I. Stretcher and Robert N. Allen, commissioners appointed by the Governor, under a joint resolution of the last session of the General Assembly, providing for the removal of the remains of the late Hon. Tilghman A. Howard, from the State of Texas, to the State of Indiana ;

No. 422. An act in relation to that portion of the Northern Division of the Central canal, which lies between Broad Ripple, in Marion county, and Waverly, in Morgan county ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate, for the signature of their President.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following bills, and find them correctly enrolled, to-wit.:

No. 382. A bill to incorporate the English and German Evangelical Lutheran St. Paul's church, in the county of Dearborn ;

No. 379. An act making the side cut, constructed by the Storage and Forwarding Company in Delphi, a part of the Wabash and Erie canal ;

No. 459. An act to incorporate the Peru and Wabash Free Bridge Company ;

No. 349. An act to change the State road, in the counties of Huntington and Wells ;

No. 354. An act changing the name of William Jackson, to that of William Jackson Morgan ;

No. 463. An act to confirm to Mary Williams, the sale of lots in Pittsburgh ;

No. 468. An act to extend the provisions of an act, therein named, to the county of Wells ;

No. 469. A joint resolution in relation to the Education Society of Indiana ;

No. 471. An act to locate a State road in Fountain county ;

No. 506. A joint resolution in relation to the claims of the State of Indiana, upon the United States, for the expenses incurred in raising troops for the Mexican war, upon the requisitions of the Secretary of War ;

Whereupon the Speaker signed the same.

Ordered, That the clerk take the same to the Senate for the signature of the President thereof.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, report to the House of Representatives, that they have compared the following bills, and find them correctly enrolled, to-wit.:

No. 476. An act to amend an act, granting the citizens of Lawrenceburgh, a city charter, and for revising and repealing all laws and parts of laws, heretofore enacted on that subject, approved January 20th, 1846 ;

No. 433. An act for the government of the Indiana Hospital for the Insane ;

No. 315. An act to incorporate the Peru, Rochester, Plymouth, and South Bend Railroad company ;

No. 383. An act to incorporate the town of Eagle Village, in Boone county ;

No. 477. An act for the relief of Abraham Perkins, late collector of Davis county ;

No. 461. An act to incorporate the Henry county Turnpike Company ;

No. 351. An act to encourage the organization of Fire companies ;

No. 492. A joint resolution of thanks to Elhanan Moberly ;

No. 374. An act relative to high water in Jackson county ;

No. 355. An act authorizing the board of commissioners of Elkhart county to direct the sale of certain school lands ;

No. 378. An act to establish a State road on a part of the county line dividing the counties of Wayne and Randolph ;

No. 381. An act to incorporate the town of Washington, Wayne county, Indiana ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Nimmons made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following with the engrossed and find them correctly enrolled :

No. 146. An act to incorporate the Indiana Canal Company ;

No. 427. An act for the relief of Wm. A. Richardson and others ;

No. 394. An act concerning a State road therein named in Hancock county ;

No. 485. An act to repeal a part of sec. 9, art. 3, chap. 16, of Revised Statutes of 1843, so far as relates to Shelby county ;

No. 448. A joint resolution for a mail route from Brownstown to Nashville ;

No. 446. An act to amend the 35th section of article 2, of chapter 25, of the Revised Statutes of 1843 ;

No. 480. An act for the relief of certain persons therein named ;

No. 224. An act authorizing the boards doing county business to continue in session ten days at their March and June sessions ;

No. 429. An act declaring certain acts therein named in force ;

No. 434. An act regulating the width of county roads in Marion county ;

No. 457. An act giving further time to the widow of Elam Browning, deceased, and to the creditors of the estate of said deceased, to file claims against said estate ;

No. 412. An act to improve the breed of horses in the county of Miami ;

No. 391. An act authorizing Henry Allen, of Posey county, to make a deed in a certain case to certain land in said county ;

No. 156. An act to repeal an act providing for the election of supervisors of highways in the counties of Decatur, Jefferson, and Spencer ;

No. 37. A bill to incorporate the Connersville Hotel Company ;

No. 215. An act to revive and amend the act relative to the Covington Drawbridge Company ;

No. 502. An act to locate a State road in the counties of Delaware, Madison, and Grant ;

No. 504. An act to define the width of roads in Clinton county ;

No. 127. An act to incorporate the Princeton Female Academy ;

No. 81. An act to regulate agencies of foreign insurance companies ;

No. 47. An act to provide for electing supervisors by districts in the counties of Miami and Montgomery ;

No. 430. An act changing the name of Andersontown, in Madison county, to that of Anderson ;

No. 482. An act to authorize the commissioners of Vigo county to procure a seal for the probate court ;

No. 483. An act to revive an act for the location of a State road in the counties of Dubois and Martin ;

No. 169. An act to incorporate the Jasper County Iroquois Navigation and Manufacturing Company ;

No. 497. A bill to authorize the building of a levee in Vigo county ;

No. 436. An act changing the name of the town of Alton, in the county of Crawford ;

No. 396. An act to vacate a portion of a certain street therein named ;

No. 441. A joint resolution in relation to a mail route from Belleville, in Hendricks county, to Lebanon, in Boone county in the State of Indiana ;

No. 421. An act to incorporate the Clinton Iron Manufacturing Company ;

No. 408. An act levying a tax on the inhabitants of the town of Marion and its additions for a certain purpose ;

No. 413. A bill to compensate William Robinson of Franklin county, for certain services therein named ;

No. 449. A bill making provisions for the payment of witnesses ;

No. 490. An act to change a State road in Delaware county ;

No. 27. A bill authorizing the re-valuation of lands in Monroe and Irvin townships, Howard county ;

No. 418. A bill making additional allowance to the Secretary of State ;

No. 496. A bill making the education of Deaf and Dumb persons in Indiana free ;

No. 500. An act to give additional Revised Statutes of 1843 to the county of Randolph ;

No. 230. A bill to authorize the county auditor and treasurer of Sullivan county to make set offs in certain cases ;

No. 208. An act to extend the time of holding the commissioners' court of Boone county ;

No. 432. An act to vacate an alley in the town of Greencastle ;

No. 370. An act for the benefit of widows ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Cole, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following enrolled bills of the House, and compared the same with the engrossed bills thereof, and find the same correctly enrolled, to-wit :

No. 495. A bill making the education of the blind in Indiana free ;

No. 178. A bill to authorize the sale of a certain town lot therein named ;

No. 460. An act to authorize certain voters of Daviess county to vote in Washington township, in said county ;

No. 364. An act to vacate the town of Florentine, in Tippecanoe county, Indiana ;

No. 291. An act to authorize the voters of certain townships to sell their school lands ;

No. 493. A joint resolution accepting the colors of the Third Regiment of the Indiana Volunteers ;

No. 263. An act to amend the charter of the Indiana Medical College ;

No. 395. An act to repeal an act fixing the salary of the auditor of Miami county, approved January 27, 1847 ;

No. 176. An act in relation to roads in De Kalb county ;

No. 257. An act incorporating the Celebration Steam Mill Company, in Franklin county ;

No. 367. An act to raise a revenue for State purpose for the year 1848 ;

No. 193. An act to authorize the auditor of Hendricks county to sell certain lands ;

No. 392. An act to re-locate a certain State road in Clay county ;

No. 303. An act to repeal a part of an act entitled "An act to change the time of holding the probate court in Ripley county ;"

No. 486. An act to locate a State road in Clay and Parke county ;

No. 388. An act to establish a horse-boat ferry across the Wabash river at the town of Williamsport ;

No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes ;

No. 185. An act to form a new school district from school district No. 1 and No. 4, in congressional township No. 2 north, of range two east ;

No. 316. An act amending section 453, chapter 30, of the Revised Statutes of 1843, and for other purposes ;

No. 411. An act authorizing supervisors to work a certain road in Ohio county ;

No. 202. An act to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county, Indiana ;

No. 179. An act to authorize Peter Wise and others to build a mill dam across White river, in Hamilton county ;

No. 431. An act for the relief of Eleanor Leas ;

No. 397. An act to vacate a part of Main street in the town of Decatur, in the county of Adams ;

No. 207. An act repealing so much of Sec. 233 of the Revised Statutes of 1843 as requires the probate court to fix the time of sales of real estate by executors and administrators ;

No. 227. An act extending the time for supervisors to work their roads in Spencer county ;

No. 212. An act authorizing Albert A. Siddall to sell certain stone in Madison county ;

No. 450. An act amendatory of the charter of the city of Indianapolis ;

No. 420. An act to repeal an act entitled "An act to provide for a uniform mode of doing township business in Clay county ;

No. 385. An act to better enable the citizens of congressional township No. 20, No. 5 east, in the county of Hamilton, to sell school lands ;

No. 426. An act for the incorporation of the York Guards ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

No. 75. A bill to amend an act to provide for the election of prosecuting attorneys by the people in the several counties, approved January 27, 1847 ;

No. 95. A bill declaratory of the meaning of the 30th section of chapter 37, of the Revised Statutes of 1843 ;

No. 163. A bill to amend an act entitled an act to authorize the superintendent of the Wabash and Erie canal to pay such equitable claims as counties and individuals may have for surveying and

locating the canal from Tippecanoe to Terre Haute, approved January 25, A. D. 1847;

No. 244. A bill prescribing the manner of assessing and paying taxes due upon the stock of individuals in the Madison and Indianapolis railroad company;

Were severally read a third time, and passed;

Ordered, That the Senate be informed thereof.

No. 87. A bill changing the time of holding the courts in the county of Knox;

Mr. Williams moved to amend by inserting the following:

That nothing in this act shall be so construed as to change the time of holding the February term of the present year 1848;

Which was adopted unanimously.

Said bill was then read a third time, and passed.

Ordered, That the Senate be informed thereof.

No. 223. A joint resolution relative to a harbor at Michigan City, the harbor at St. Joseph river, and the Ohio and Mississippi rivers, and their tributaries;

Was read third time, and the question being

"Shall the bill pass."

The ayes and noes were demanded by Messrs. Dunham and Ford.

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Chambers, Coble, Cole, Commons, Cookerly, Criswell, Dougherty, Frazer, Gordon, Graham, Hankins, Harding, Hetfield, Hull, Hunt, Kinney, Lockwood, McCormick, McKinzie, Meredith, Miller, Morrison, Nimmons, Prather, Robinson, Sackett, Shryock, Stone, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Knox, and Mr. Speaker—39.

Those who voted in the negative are,

Messrs. Campbell, Carr, Davis, Dimmett, Dobson, Doyle, Dunham, Jones of Switzerland, Kennard, Lane, Lichteberger, Major, May, McConnell, Mills, Norris, Roache, Rulon, Short, Sullivan, Tinbrook, Trimby, and Wolfe—23.

Mr. Ford refused to vote.

No quorum voting said joint resolution did not pass.

No. 270. A bill to incorporate the St. Louis and Cincinnati railroad company;

Was referred to the committee on corporations.

BILLS ON SECOND READING.

No. 377. A bill to revise and consolidate the several acts of Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges; and to amend the same;

Was taken up, and the question pending being its engrossment,

Mr. Jones of Switzerland moved to lay the bill on the table;

Which did not prevail.

Mr. Brown moved to amend by striking out the 54th section of said bill.

Which did not prevail.

Mr. Brown moved to amend said bill as follows:

That this act shall not apply to, or effect the streets or alleys in any incorporated town in any way whatever so far as relates to vacating, or altering, or changing the same.

Which was adopted.

Mr. Lane moved to amend said bill as follows:

Provided, That nothing in this act shall be so construed as to repeal the local laws now in force on the subject of roads in the counties of Gibson, Perry, Morgan, Davis, Pike, Martin, Blackford, Jay, Spencer, Shelby, Owen, Lawrence, Washington, Jefferson, Switzerland, Ohio, Putnam, Dearborn, Noble, LaGrange, Lake, Porter, Warrick, and Jackson.

Which was adopted.

Mr. Bryant moved to amend said bill as follows:

Amend in the proper place by adding:

That in all cases where the General Assembly or the board doing county business in the several counties of this State, have heretofore attempted to establish a public highway which is now used as such, although informally established and defectively recorded, it shall be the duty of the board doing county business to cause the same to be surveyed by the county surveyor, who shall ascertain and determine the said road by metes and bounds, and return a copy of the survey thereof to the county auditor, who shall record the same in the records of the county board, and the said road shall thereafter be deemed a public highway, legally established.

Which was adopted.

Mr. Dole moved to amend said bill as follows:

Sec. —. It shall be the duty of any person owing a road tax on land, and desiring to work out the same, to perform the amount of labor to be performed by him, upon the road situate in the road district in which such land may be situated, and not elsewhere.

Which was adopted.

Mr. Wolfe moved to amend said bill as follows:

Amend by exempting Sullivan county from any change herein sought, so far as the county of Sullivan is concerned.

Which was adopted.

Mr. Wolfe moved to amend said bill as follows :

This act shall not repeal or effect any special law now in force.
Which was not adopted.

Said bill was then read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ford moved the previous question :

Which was seconded by the House, and the question being,
"Shall the main question be now put?"

It was decided in the affirmative.

The question then being

"Shall the bill be engrossed?"

Messrs. Wolfe and Ford demanded the ayes and noes.

Those who voted in the affirmative are,

Messrs. Baldwin, Brown, Bryant, Carr, Chambers, Coble, Cole, Commons, Cookerly, Criswell, Dimmett, Dole, Dougherty, Doyle Dunham, Frazer, Graham, Hankins, Harding, Harvey, Hetfield Holden, Huddleston, Hunt, Jones of Partholomew, Jones of Switzerland, Kennard, Kinney, Lowe, Lichteberger, Line, Lockwood, Major, McConnell, McCormick, McKinzie, Meredith, Miller, Mills, Morrison, Norris, Prather, Richmond, Robinson, Rulon, Sackett, Short, Stone, Sullivan, Thompson of Carroll, Thompson of Gibson, Trimby, Williams of Knox, Williams of Madison, and Mr. Speaker—55.

Those who voted in the negative are,

Messrs. Davis, Ford, May, Roache, Shryock, Tinbrook, Winstandley, and Wolfe—8.

There being no quorum voting, the bill was not ordered to be engrossed.

On motion by Mr. Dole,

Leave of absence was given to Messrs. Frazer and Dougherty for the remainder of the session.

On motion by Mr. Robinson,

Leave of absence was granted to Mr. Gordon.

On motion by Mr. Dole,

Leave of absence was also given to Mr. Miller after this day.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 341. An act supplemental to an act incorporating the Indianapolis and Bellefontaine Rail Road Company ;

In which the concurrence of the House is respectfully requested. Said bill No. 341, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Dole,

Leave of absence was given to Mr. Hetfield after to-day.

On motion,

The House adjourned until 2 o'clock.

2 o'clock P. M.

The House met.

Mr. Thompson of Carroll asked and obtained leave of absence for Mr. Gooding for the remainder of the session.

Mr. Orton asked and obtained leave of absence for Mr. McConnell for the remainder of the session.

Mr. Dunham, on leave granted, made the following report :

MR. SPEAKER :

The select committee to which was referred bill No. 328 of the House with certain instructions, have had the same under consideration, and instructed me to report the same back with two amendments, and when so amended, recommend its passage ; and said committee ask to be discharged from the further consideration of the subject.

The amendment proposed by the committee was to strike out the original bill and insert a substitute.

Which was adopted.

Mr. Bryant moved to amend said bill as follows : in the 1st section, 2d line, after the word "rendered," "on all actions upon contracts."

Said bill,

No. 328. An act to amend the 9th section of the 47th chapter of the Revised Statutes ;

Was then read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wolfe, on leave granted, made the following report :

MR. SPEAKER :

The committee to whom was referred Senate bill No. 290, fixing the salaries of the Trustees of the Wabash and Erie Canal, have had the same under consideration, and a majority of the committee have directed me to report that, in their opinion, legislation thereon is inexpedient, and recommend that said bill be laid on the table ; and ask to be discharged from any further consideration of the subject.

Which report was concurred in, and
Said bill laid upon the table.

On motion,

House Bill :

No. 379. A bill to revive and consolidate the several acts of Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges, and to amend the same.

Which was read a third time and passed.

Ordered, That the Senate be informed thereof.

HOUSE BILLS ON THIRD READING.

No. 324. A bill in relation to the saline lands in the State ;

Which was read a third time, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 318. A bill for the relief of infant heirs and devisees ;

Was read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 393. A bill in relation to the election of Representatives, in the General Assembly, from the counties of Orange and Crawford ;

The question then pending at a former adjournment, was,

"Shall the bill be engrossed ?"

The ayes and noes being demanded by Messrs. Wolfe and Carr,

Those who voted in the affirmative are,

Messrs. Albin, Baldwin, Blythe, Brown, Bryant, Coble, Cole, Commons, Cookerly, Criswell, Dougherty, Gordon, Graham, Han-

kins, Harding, Harvey, Huddleston, Hull, Hunt, Lockwood, McCormick, McKinzie, Meredith, Morrison, Nimmons, Orton, Prather, Richmond, Sackett, Stone, Tinbrook, and Mr. Speaker—32.

Those who voted in the negative are,

Messrs. Carr, Dimmett, Dole, Doyle, Frazer, Fuller, Hetfield, Kinney, Lane, Lichteberger, Line, Major, Roache, Robinson, Shryock, Sullivan, Thompson of Carroll, Trimby, Williams of Knox, and Wolfe—20.

No quorum voting, the question was not decided.

No. 406. A bill to amend article 3, of chapter 31, of the Revised Statutes of 1843 ;

Was read a second time and lost on its engrossment.

No. 414. A joint resolution in relation to the Territories of New Mexico and the Californias ;

No. 433. A bill to prohibit the removal of causes to the circuit court by *certiorari*, in Delaware county ;

No. 438. A bill requiring the Auditor to cause to be printed the number of miles and the number of days, claimed and allowed to each member of the General Assembly ;

No. 458. A bill providing for free homesteads ;

No. 466. A bill amendatory to an act therein named ;

No. 467. A bill to amend section 165, chapter 12, of the Revised Statutes ;

Were each read a second time, and,

On motion,

Were laid on the table.

No. 473. A bill to incorporate the Grand Lodge of the Oriental Evanic Order of Brethren ;

Was read a second time, and considered as engrossed.

The question being,

“Shall the bill be read a third time ?”

The ayes and noes being demanded by Messrs. Wolfe, and Prather,

Those who voted in the affirmative are,

Messrs. Blythe, Brown, Carr, Chambers, Cole, Criswell, Davis, Dimmett, Dobson, Dole, Dougherty, Doyle, Ford, Frazer, Fuller, Gordon, Graham, Hankins, Hull, Hunt, Kinney, Lane, Lichteberger, Line, Lockwood, May, McConnell, McCormick, Meredith, Nimmons, Norris, Richmond, Roache, Robinson, Shryock, Stone, Sullivan, Terry, Thompson of Carroll, Thompson of Gibson, Williams of Knox, and Winstandley—42.

Those who voted in the negative are,

Messrs. Harding, Harvey, Holden, Huddleston, Kennard, McKin-

zie, Miller, Mills, Morrison, Prather, Short, Tinbrook, Wolfe, and Mr. Speaker—14.

No quorum voting, the question was not decided.

No. 478. A bill to amend an act, entitled "An act, to lease the Indiana State Prison, and for other purposes," approved January 26th, 1846;

Which was read a second and third times, the rules being suspended therefor, and,

On motion,

Was laid on the table.

On motion by Mr. Jones of Switzerland,

The following message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof, to-wit.:

No. 329. An act relative to the counties of Carroll and Clinton ;

No. 330. An act to define the time when an act herein named, shall take effect and be in force ;

In which the concurrence of the House is respectfully requested.

Said bills, in said message mentioned, were read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 487. A joint resolution, (House,) to remove the Canal Land Office from Logansport, to Peru ;

Mr. Kinney moved to lay the bill on the table,

On which motion,

Messrs. Wolfe and Cole demanded the ayes and noes,

Those who voted in the affirmative are,

Messrs. Cookerly, Dimmett, Doyle, Graham, Holden, Kinney Lowe, Morrison, Nimmons, Richmond, Robinson, and Shryock—12

Those who voted in the negative are,

Messrs. Albin, Baldwin, Blythe, Bryant, Cole, Commons, Dobson, Dougherty, Frazer, Hankins, Harding, Harvey, Hetfield, Huddleston, Hull, Hunt, Jones of Switzerland, Kennard, Lane, Lichteberger, Lockwood, Major, May, McConnell, McKinzie, Meredith, Miller, Mills, Norris, Orton, Prather, Roache, Rulon, Short, Stone, Sullivan, Terry, Thompson of Carroll, Thompson of Gibson, Tinbrook, Williams of Knox, Winstandley, Wolfe, and Mr. Speaker—44.

There being no quorum voting, said bill was,

On motion by Mr. Cole,

Laid on the table.

No. 494. A bill, (House,) amendatory of the laws relative to practice in chancery ;

Was read a third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Holden,

No. 473. A bill, (House,) to incorporate the Grand Lodge of the Evanic Order of Brethren ;

Was taken from the table, and read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wolfe moved to take up bill No. 88 ;

Which motion did not prevail.

House Bill,

No. 501. A bill to create the 14th Judicial Circuit ;

Was read a second time ; and

On motion by Mr. Holden,

Indefinitely postponed.

On motion by Mr. Sullivan,

Leave of absence was given to Mr. Carr for the remainder of the session.

House Bill,

No. 510. A bill to provide compensation to the Auditor and Treasurer for managing trust funds ;

Was read a second time and considered as engrossed, the rules being suspended therefor ;

When Mr. Line moved to amend the bill by striking out the words "half of one per cent.," and insert "one-fourth of one per cent.;" Which did not prevail.

The rules were further suspended, and the bill was read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Holloway, a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the engrossed bill of the House, with sundry amendments, entitled :

No. 505. An act making specific appropriations for the year 1848 :

In which amendments the concurrence of the House is respectfully requested:

The House refused to concur in the engrossed amendments of the Senate to said bill, Nos. 1, 2, 3, 6, 8, 9, 10, 12, 13, and 16, and concurred in engrossed amendments Nos. 4, 5, 7, 11, 12, (S.) 14 and 15 without amendment.

The House also concurred in engrossed amendment of the Senate, No. 17, with the following amendments :

1. Add to the last section of the 17th amendment of the Senate the following words :

"Except so far as is particularly provided in the previous sections of this act."

2. Add to the same section the following words :

"And that an amount equal to the pay of eight enrolling clerks, for twelve days each, at three dollars per day each, be allowed the Secretary of State, to pay for extra enrolling clerks at the present session."

On motion by Mr. Dougherty,

Leave of absence was given to Mr. Lowe for the remainder of the session.

The following message was received from the Senate by Mr. Test their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to wit :

No. 344. An act supplementary to an act to incorporate the Crawfordsville and Indianapolis Rail Road Company ;

In which the concurrence of the House is respectfully requested.

Said bill, No. 344, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Holden,

Leave of absence was given to Mr. Huddleston for the remainder of the session.

On motion,

The House adjourned till to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, FEBRUARY 15, 1848.

The House met.

On motion by Mr. Cookerly,

The reading of the journal was dispensed with.

Mr. Fuller asked, and obtained leave, to withdraw from the files of the House,

No. 353. A bill to incorporate the Ohio and Boonville Railroad Company.

On motion by Mr. Cookerly,

The following message from the Senate, by Mr. Test, their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof :

No. 119. A bill to extend the jurisdiction of justices of the peace in certain criminal cases ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned.

Was read a first and second times, the rules being suspended therefor, when,

Mr. Cookerly moved to amend said bill, as follows :

Provided, That in the trial of all such cases the defendant may have the right, in his discretion, to a jury of three, six, or twelve men ;

Which was adopted.

Mr. Stone moved to amend said bill by striking " Randolph county out of the 9th section of the bill ;"

Which was adopted.

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Morrison, on leave granted, introduced,

No. 428. A bill to amend the Madison and Brownstown Turnpike Company ;

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

On motion by Mr. Kinney,

The following message from the Senate, by Mr. Test, their Secretary, was taken up :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that they have passed the following engrossed bill thereof, with a substitute as an amendment :

No. 56. A bill to provide for the improvement of common schools ;

In which the concurrence of the House is respectfully requested.

Mr. Wolfe moved to concur in the amendment of the Senate, with the following amendment :

It shall be the duty of each inspector to put the question to each elector thus :

“ Are you willing to be taxed for the support of free schools or not ? ”

Which was not adopted.

Mr. Frazer moved to concur in the amendment of the Senate, with the following amendment :

Amend the preamble by striking out all which alledges that the Senate had not time to deliberate upon the House bill.

The question being,

“ Will the House concur in the amendment of the Senate with the amendment of Mr. Frazer ? ”

The ayes and noes being demanded by Messrs. Orton and Rulon :

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Chambers, Cole, Cook-erly, Criswell, Davis, Dimmett, Dobson, Dole, Frazer, Fuller, Han-kins, Harvey, Holden, Hunt, Lane, McCormick, Mills, Short, Stone, Sullivan, Thompson of Gibson, Williams of Knox, and Mr. Speak-er—27.

Those who voted in the negative are,

Messrs. Ford, Graham, Kennard, Kinney, Lichteberger, Lock-wood, Major, McKinzie, Meredith, Morrison, Norris, Orton, Robin-son, Rulon, Sackett, and Winstandley—16.

No quorum voting, the question was not decided.

On motion by Mr. Harvey,

The amendment of Mr. Frazer was laid on the table.

On motion by Mr. Lane,

The bill and amendments were laid on the table.

On motion by Mr. Meredith,

Leave of absence was granted to Mr. McCormick.

Mr. Dunham, on leave,

Made the following report from the committee of ways and means :

MR. SPEAKER :

The committee of ways and means, whose duty it is to enquire into the financial condition of the State, and to examine into the offices of the treasurer and auditor of State, respectfully submit the following report.

They have examined those offices as faithfully and diligently as their other duties would permit. The vouchers for all warrants drawn upon the treasury during the same period, were examined and found to correspond with their books and published reports.— They would remark that every facility was furnished them by those officers, for the due prosecution of their labors. They feel it incumbent upon them further to remark, that from an examination into the books and accounts, they believe the complicated and responsible duties appertaining to those offices have been discharged in a manner worthy of the highest praise.

Among other duties, it became necessary for the committee to count and destroy a large amount of various kinds of scrip, which had been redeemed and cancelled at the treasury during the last year.

The following is an abstract of the several kinds of funds destroyed :

| | | | | | |
|---|---|---|---|---|--------------------|
| Of six per cent treasury notes, | - | - | - | - | \$70,580 00 |
| Interest allowed thereon, - | - | - | - | - | 26,778 60 |
| Total, - - - - - | - | - | - | - | <u>\$97,358 60</u> |
| Of five per cent. bank scrip, - | - | - | - | - | \$56,400 00 |
| Interest allowed thereon, - | - | - | - | - | 14,317 58 |
| Total, - - - - - | - | - | - | - | <u>\$70,717 58</u> |
| Of Wabash and Erie Canal scrip, east of Tippecanoe river, - - - - - | - | - | - | - | \$14,165 45 |
| Interest allowed thereon, - | - | - | - | - | 2,119 24 |
| Total, - - - - - | - | - | - | - | <u>\$16,284 69</u> |
| Of quarter per cent. scrip, - - - - - | - | - | - | - | \$28,750 00 |
| Of Wabash and Erie Canal scrip, west of Tippecanoe river, - - - - - | - | - | - | - | <u>\$31,425 00</u> |

The committee have also counted and mutilated of the Internal Improvement bonds that have been redeemed and canceled at the treasury, and coupons amounting in all to the sum of \$25,800 00.

Making in all of the state liabilities, counted, mutilated, and destroyed by the committee the sum of \$270,335 87, of which more detailed statements are hereto appended, marked A and B.

From an examination into the condition of the treasury, it appears that there was on hand on the 1st day of January, A. D. 1847, the sum of \$594,681 61. And on the first day of January, A. D. 1848, there was in the treasury, provided all warrants issued prior to that date had been redeemed, the sum of \$439,774 02.

The items of receipts and expenditures from which said balances were struck, will be found appended hereto and marked C.

All warrants drawn upon the treasury have been promptly paid; and the committee believe that by an economical system the same prosperous condition of the treasury may safely be relied on for the future.

The full and ample reports of the State officers relative to the present and future resources of the State, and her ability to meet those renewed obligations into which she has recently entered for the payment of the interest on the State debt, which have been published and laid before the House, render it unnecessary for the committee to enter upon the discussion of this important topic.

The rate of taxation for State purposes, proper, has been fixed, in the revenue bill reported to the House, the same as in the two preceding years.

The different assessments for the Indiana Hospital for the Insane, the Deaf and Dumb Assylum, and for the education of the Blind, amount in the aggregate to the sum of five cents on each one hundred dollars valuation of property.

The slight increase of taxation for those benevolent institutions of the State, was made with a view to the speedy completion of a portion of the Indiana Hospital for the Insane, for the reception of inmates, and for the erection of a building for the deaf and dumb, and to pay for the building site for the institution for the blind.—Your committee feel proud to remark, that not a murmur has been raised by the people of Indiana, at the taxation for these purposes that while they have been nobly struggling to redeem the credit of the State abroad, they have not been forgetful of the interests of humanity within her borders.

All of which is respectfully submitted.

C. L. DUNHAM,
JAMES R. M. BRYANT,
GEO. W. LANE,
SAM. W. SHORT.

H39

STATEMENT A.

The Committee of Ways and Means, during the present session, have counted, mutilated, and burnt, of the funds in the office of the State Treasurer, the following amounts and descriptions of scrip, which had been re-deemed and cancelled at the Treasury, to-wit:

Six per cent. Treasury Notes.

| <i>No. of pack</i> | <i>No. of bills.</i> | <i>Denomina- tion.</i> | <i>Date of Issue.</i> | <i>Principal.</i> | <i>Interest.</i> | <i>Total.</i> |
|------------------------|--------------------------|----------------------------|-----------------------|-------------------|------------------|---------------|
| 1 | 1000 | \$5 | April 20, 1840, | 5000 | \$1,960 00 | 6,960 00 |
| 2 | 1000 | 5 | April 20, 1840, | 5000 | 1,960 00 | 6,960 00 |
| 3 | 1000 | 5 | April 20, 1840, | 5000 | 1,960 00 | 6,960 00 |
| 4 | 1000 | 5 | April 20, 1840, | 5000 | 1,960 00 | 6,960 00 |
| 5 | 1000 | 5 | April 20, 1840, | 5000 | 1,960 00 | 6,960 00 |
| 6 | 1000 | 5 | April 20, 1840, | 5000 | 1,960 00 | 6,960 00 |
| 7 | 144 | 5 | April 20, 1840, | 720 | 282 24 | 1,002 24 |
| 8 | 747 | 5 | September 20, 1840, | 3725 | 1,363 35 | 5,088 23 |
| 9 | 169 | 5 | February 10, 1841, | 845 | 290 68 | 1,135 68 |
| 10 | 159 | 5 | April 1, 1841, | 795 | 267 12 | 1,062 12 |
| 11 | 158 | 5 | May 1, 1841, | 790 | 260 70 | 1,050 70 |
| 12 | 88 | 5 | June 1, 1841, | 440 | 143 44 | 583 44 |
| 13 | 373 | 5 | July 1, 1841, | 1865 | 596 80 | 2,461 80 |
| 14 | 179 | 5 | September 1, 1841, | 895 | 277 45 | 1,172 45 |
| 15 | 169 | 5 | October 1, 1841, | 845 | 256 88 | 1,101 88 |
| 16 | 214 | 5 | November 1, 1842, | 1070 | 321 00 | 1,391 00 |

| | | | | | | | | | | |
|----|-----|----|---------------------|---|---|---|---|-------|-------------|-------------|
| 17 | 188 | 5 | December 1, 1841, | - | - | - | - | 940 | 276 36 | 1,216 36 |
| 18 | 220 | 5 | January 1, 1842, | - | - | - | - | 1100 | 319 00 | 1,419 00 |
| 19 | 505 | 50 | April 20, 1840, | - | - | - | - | 25250 | 9,887 55 | 35,137 00 |
| 20 | 26 | 50 | September 20, 1840, | - | - | - | - | 1300 | 476 58 | 1,776 58 |
| | | | | | | | | | \$26,778 60 | \$97,358 60 |

Of five per cent. Bank Scrip.

| | | | | | | | | | | |
|----|------|---|-----------------------|---|---|---|---|------|-------------|-------------|
| 1 | 272 | 5 | July 1, 1842, | - | - | - | - | 1360 | 330 32 | 1,690 32 |
| 2 | 201 | 5 | July 1, 1842, | - | - | - | - | 1005 | 261 30 | 1,266 30 |
| 3 | 500 | 5 | May and June 1, 1842, | - | - | - | - | 2500 | 640 00 | 3,140 00 |
| 4 | 700 | 5 | April 1, 1842, | - | - | - | - | 3500 | 896 00 | 4,396 00 |
| 5 | 700 | 5 | May 1, 1842, | - | - | - | - | 3500 | 896 00 | 4,396 00 |
| 6 | 1000 | 5 | May 1, 1842, | - | - | - | - | 5000 | 1,280 00 | 6,280 00 |
| 7 | 1000 | 5 | May 1, 1842, | - | - | - | - | 5000 | 1,280 00 | 6,280 00 |
| 8 | 1000 | 5 | May 1, 1842, | - | - | - | - | 5000 | 1,720 00 | 6,280 00 |
| 9 | 1097 | 5 | May 1, 1842, | - | - | - | - | 6985 | 1,720 02 | 8,705 02 |
| 10 | 1300 | 5 | May 1, 1842, | - | - | - | - | 5000 | 1,280 00 | 6,280 00 |
| 11 | 801 | 5 | May 1, 1842, | - | - | - | - | 4005 | 986 42 | 4,991 42 |
| 12 | 1000 | 5 | May 1, 1842, | - | - | - | - | 5000 | 1,280 00 | 6,280 00 |
| 13 | 1000 | 5 | May 1, 1842, | - | - | - | - | 5000 | 1,280 00 | 6,280 00 |
| 14 | 709 | 5 | May 1, 1842, | - | - | - | - | 3545 | 907 52 | 4,452 52 |
| | | | | | | | | | \$14,317 58 | \$70,717 58 |

Of Wabash and Erie Canal Scrip East of Tippecanoe River.

| <i>No. of Bills.</i> | <i>Am't of Bill.</i> | <i>Interest on each bill.</i> | <i>Principal.</i> | <i>Interest.</i> | <i>Total.</i> |
|------------------------------|------------------------------|---------------------------------------|-------------------|------------------|---------------|
| 230 | 5 | 60 | 1,150 00 | 138 00 | \$1,288 00 |
| 100 | 5 | 52 | 500 00 | 52 00 | 552 00 |
| 100 | 5 | 65 | 500 00 | 65 00 | 565 00 |
| 100 | 5 | 65 | 500 00 | 65 00 | 565 00 |
| 100 | 5 | 57 | 500 00 | 57 00 | 557 00 |
| 14 | 5 | 64 | 70 00 | 8 96 | 78 96 |
| 54 | 5 | 65 | 270 00 | 35 10 | 305 10 |
| 55 | 5 | 66 | 275 00 | 36 30 | 311 30 |
| 29 | 5 | 67 | 145 00 | 19 43 | 164 43 |
| 81 | 5 | 59 | 405 00 | 47 79 | 452 79 |
| 46 | 5 | 61 | 230 00 | 24 06 | 258 06 |
| 4 | 5 | 60 | 20 00 | 2 40 | 22 40 |
| 42 | 5 | 62 | 210 00 | 26 04 | 236 04 |
| 25 | 5 | 63 | 125 00 | 15 75 | 140 75 |
| 41 | 5 | 50 | 205 00 | 20 50 | 225 50 |
| 49 | 5 | 51 | 245 00 | 24 99 | 269 99 |
| 43 | 5 | 57 | 215 00 | 24 51 | 239 51 |
| 32 | 5 | 58 | 160 00 | 18 56 | 178 56 |
| 84 | 5 | 52 | 420 00 | 43 68 | 463 68 |
| 5 | 5 | 54 | 25 00 | 2 70 | 27 70 |
| 98 | 5 | 53 | 490 00 | 51 94 | 541 94 |
| 9 | 5 | 1 12 | 45 00 | 10 08 | 55 08 |
| 9 | 5 | 1 20 | 45 00 | 10 80 | 55 80 |
| 5 | 5 | 1 13 | 25 00 | 5 65 | 30 65 |
| 3 | 5 | 1 21 | 15 00 | 3 63 | 18 63 |
| 5 | 5 | 1 35 | 25 00 | 6 75 | 31 75 |
| 3 | 5 | 1 47 | 15 00 | 4 41 | 19 41 |
| 2 | 5 | 1 48 | 10 00 | 2 96 | 12 96 |
| 14 | 5 | 1 50 | 70 00 | 21 00 | 91 00 |
| 15 | 5 | 1 58 | 75 00 | 23 70 | 98 70 |
| 20 | 5 | 1 54 | 100 00 | 30 80 | 130 80 |
| 2 | 5 | 1 45 | 10 00 | 2 90 | 12 90 |
| 13 | 5 | 1 41 | 65 00 | 18 33 | 83 33 |
| 16 | 5 | 1 57 | 80 00 | 25 32 | 105 32 |
| 25 | 5 | 1 43 | 125 00 | 35 75 | 160 75 |
| 3 | 5 | 1 52 | 15 00 | 4 56 | 19 56 |
| 3 | 5 | 1 66 | 15 00 | 4 98 | 19 98 |
| 2 | 5 | 1 60 | 10 00 | 3 20 | 13 20 |
| 10 | 5 | 1 00 | 50 00 | 10 00 | 60 00 |
| 6 | 5 | 1 18 | 30 00 | 7 08 | 37 08 |
| 2 | 5 | 1 66 | 10 00 | 3 32 | 13 32 |
| 1 | 5 | 1 05 | 5 00 | 1 05 | 6 05 |

Wabash and Erie Canal Scrip East—Continued.

| <i>No. of Bills.</i> | <i>Am't of Bill.</i> | <i>Interest on each Bill.</i> | <i>Principal.</i> | <i>Interest.</i> | <i>Total.</i> |
|--------------------------|------------------------------|---------------------------------------|-------------------|------------------|---------------|
| 40 | 5 | 1 15 | 200 00 | 46 00 | 246 00 |
| 47 | 5 | 38 | 235 00 | 17 86 | 252 86 |
| 45 | 5 | 37 | 225 00 | 15 65 | 240 65 |
| 39 | 5 | 49 | 195 00 | 19 11 | 214 11 |
| 2 | 5 | 48 | 10 00 | 96 | 10 96 |
| 83 | 5 | 47 | 415 00 | 39 01 | 454 01 |
| 22 | 5 | 46 | 110 00 | 10 12 | 120 12 |
| 3 | 5 | 45 | 15 00 | 1 35 | 16 35 |
| 7 | 5 | 44 | 35 00 | 3 08 | 38 08 |
| 33 | 5 | 43 | 165 00 | 14 19 | 179 19 |
| 23 | 5 | 41 | 115 00 | 9 53 | 124 53 |
| 3 | 5 | 42 | 15 00 | 1 26 | 16 26 |
| 37 | 5 | 40 | 185 00 | 14 80 | 199 80 |
| 33 | 5 | 1 72 | 165 00 | 56 76 | 221 76 |
| 1 | 5 | 33 | 5 00 | 33 | 5 33 |
| 24 | 5 | 32 | 120 00 | 7 68 | 127 68 |
| 16 | 5 | 31 | 80 00 | 4 96 | 84 96 |
| 59 | 5 | 30 | 295 00 | 17 70 | 212 70 |
| 25 | 5 | 55 | 125 00 | 13 75 | 138 75 |
| 17 | 5 | 34 | 85 00 | 5 78 | 90 78 |
| 49 | 5 | 56 | 245 00 | 27 44 | 272 44 |
| 7 | 5 | 27 | 35 00 | 1 89 | 36 89 |
| 15 | 5 | 28 | 75 00 | 4 20 | 79 20 |
| 10 | 5 | 39 | 50 00 | 3 90 | 53 90 |
| 1 | 5 | 74 | 5 00 | 74 | 5 74 |
| 1 | 6 | 70 | 5 00 | 70 | 5 70 |
| 1 | 5 | 73 | 5 00 | 73 | 5 73 |
| 5 | 5 | 72 | 25 00 | 3 60 | 28 60 |
| 1 | 5 | 71 | 5 00 | 71 | 5 71 |
| 4 | 5 | 77 | 20 00 | 3 08 | 23 08 |
| 23 | 5 | 75 | 115 00 | 17 25 | 127 25 |
| 27 | 5 | 78 | 135 00 | 21 06 | 156 06 |
| 8 | 5 | 18 | 40 00 | 1 44 | 41 44 |
| 2 | 5 | 15 | 10 00 | 30 | 10 30 |
| 13 | 5 | 29 | 65 00 | 3 77 | 68 77 |
| 19 | 5 | 26 | 95 00 | 4 94 | 99 94 |
| 20 | 5 | 25 | 100 00 | 5 00 | 105 00 |
| 16 | 5 | 24 | 80 00 | 3 84 | 83 84 |
| 42 | 5 | 23 | 210 00 | 9 66 | 219 66 |
| 38 | 5 | 22 | 190 00 | 8 36 | 198 36 |
| 4 | 5 | 21 | 20 00 | 84 | 20 84 |
| 5 | 5 | 20 | 25 00 | 1 00 | 26 00 |

Wabash and Erie Canal Scrip—East—Continued.

| <i>No. of Bills.</i> | <i>Am't of Bill.</i> | <i>Interest on each Bill.</i> | <i>Principal.</i> | <i>Interest.</i> | <i>Total.</i> |
|--------------------------|------------------------------|---------------------------------------|-------------------|------------------|---------------|
| 13 | 5 | 8 | 65 00 | 1 04 | 66 24 |
| 22 | 5 | 00 | 110 00 | 10 | 110 00 |
| 1 | 5 | 1 32 | 5 00 | 1 32 | 6 32 |
| 1 | 5 | 1 25 | 5 00 | 1 25 | 6 25 |
| 1 | 5 | 1 30 | 5 00 | 1 30 | 6 30 |
| 1 | 5 | 1 34 | 5 00 | 1 34 | 6 34 |
| 1 | 5 | 1 34 | 5 00 | 1 34 | 6 34 |
| 1 | 5 | 1 45 | 5 00 | 1 45 | 6 45 |
| 1 | 5 | 1 77 | 5 00 | 1 77 | 6 77 |
| 1 | 5 | 60 | 5 00 | 60 | 5 60 |
| 1 | 5 | 91 | 5 00 | 91 | 5 91 |
| 1 | 5 | 90 | 5 00 | 90 | 5 90 |
| 1 | 5 | 98 | 5 00 | 98 | 5 98 |
| 1 | 5 | 68 | 5 00 | 68 | 5 68 |
| 2 | 5 | 95 | 10 00 | 1 90 | 11 90 |
| 3 | 5 | 83 | 15 00 | 2 49 | 17 49 |
| 2 | 5 | 82 | 10 00 | 1 64 | 11 64 |
| 38 | 5 | 80 | 190 00 | 30 40 | 220 40 |
| 75 | 5 | 81 | 375 00 | 60 75 | 435 75 |
| 12 | 5 | 85 | 60 00 | 10 20 | 70 20 |
| 1 | 5 | 84 | 5 00 | 84 | 5 84 |
| 1 | 5 | 88 | 5 00 | 88 | 5 88 |
| 1 | 5 | 88 | 5 00 | 88 | 5 88 |
| 1 | 5 | 87 | 5 00 | 87 | 5 87 |
| 21 | 10 | 3 98 | 210 00 | 83 58 | 293 58 |
| 33 | 10 | 3 8 | 330 00 | 121 44 | 450 44 |
| 52 | 10 | 3 96 | 520 00 | 105 92 | 725 92 |
| 5 | 10 | 3 88 | 50 00 | 19 40 | 69 40 |
| 6 | 10 | 3 94 | 60 00 | 23 64 | 83 64 |
| 6 | 10 | 3 80 | 60 00 | 22 80 | 82 80 |
| 1 | 10 | 3 84 | 10 00 | 3 84 | 13 84 |
| 1 | 10 | 3 85 | 10 00 | 3 85 | 13 85 |
| 1 | 10 | 3 86 | 10 00 | 3 86 | 13 86 |
| 1 | 10 | 3 92 | 10 00 | 3 92 | 13 92 |
| 3 | 10 | 3 90 | 30 00 | 11 70 | 41 70 |
| 1 | 10 | 3 83 | 10 00 | 3 83 | 13 83 |
| 1 | 10 | 3 74 | 10 00 | 3 74 | 13 74 |
| 1 | 10 | 3 74 | 10 00 | 3 74 | 13 74 |
| 2 | 10 | 3 70 | 20 00 | 7 40 | 27 40 |
| 2 | 10 | 3 66 | 20 00 | 7 32 | 27 32 |
| 1 | 10 | 3 65 | 10 00 | 3 65 | 13 65 |
| 1 | 4 41 | 2 86 | 4 41 | 2 86 | 7 27 |

Wabash and Erie Canal Scrip—East—Continued.

| <i>No. of Bills.</i> | <i>Am't of Bill.</i> | <i>Interest on each Bill.</i> | <i>Principal.</i> | <i>Interest.</i> | <i>Total.</i> |
|--------------------------|------------------------------|---------------------------------------|-------------------|------------------|---------------|
| 1 | 5 | 1 98 | 5 00 | 1 98 | 6 98 |
| 1 | 5 | 1 97 | 5 00 | 1 97 | 6 97 |
| 1 | 6 04 | 2 38 | 6 04 | 2 38 | 8 42 |
| | | | 14,385 45 | 2,099 26 | 16,284 71 |

Of Quarter per cent Scrip.

| <i>No. of pack.</i> | <i>Denom. of bills.</i> | <i>No. of bills.</i> | <i>Total.</i> |
|---------------------|-------------------------|----------------------|---------------|
| 1 | 5 | 1000 | 5,000 |
| 2 | 5 | 1000 | 5,000 |
| 3 | 5 | 1000 | 5,000 |
| 4 | 5 | 1000 | 5,000 |
| 5 | 5 | 750 | 3,750 |
| 6 | 5 | 1000 | 5,000 |
| | | | 28,750 |

Of Wabash and Erie Canal Scrip West of Tippecanoe river.

| <i>No. of pack.</i> | <i>Denom. of bills.</i> | <i>Am't of pack bills.</i> | <i>Total.</i> |
|---------------------|-------------------------|----------------------------|---------------|
| 1 | 5 | 1,000 | 5,000 00 |
| 2 | 5 | 1,000 | 5,000 00 |
| 3 | 5 | 1,000 | 5,000 00 |
| 4 | 5 | 1,000 | 5,000 00 |
| 5 | 5 | 1,000 | 5,000 00 |
| 6 | 5 | 1,000 | 5,000 00 |
| 7 | 5 | 285 | 1,425 00 |
| | | 6,285 | \$31,425 00 |

RECAPITULATION.

| | | | | |
|--|---|---|---|--------------|
| Six per cent. Treasury Notes and int., | - | - | - | \$97,358 60 |
| Five per cent. Bank Scrip and int. | - | - | - | 70,717 58 |
| Quarter per cent. Scrip and interest, | - | - | - | 28,750 00 |
| Wabash and Erie Canal Scrip, East, and int., | - | - | - | 16,284 69 |
| Wabash and Erie Canal Scrip West, | - | - | - | 31,425 00 |
| Add to this amount of Internal Improvement Bonds and coupons, counted and mutilated, by the committee, | - | - | - | 25,800 00 |
| Total amount, | - | - | - | \$270,335 87 |

STATEMENT B.

The Committee of Ways and Means have also cancelled, counted, and mutilated Internal Improvement Bonds and Coupons, which had been redeemed at the Treasury, as follows, to wit:

| | | |
|--|-----------|----------|
| From No. 2181 to 2190 inclusive, \$1,000 each, | - | \$10,000 |
| No. 207, \$1,000 | - - - - - | 1,000 |
| No. 770, 1,000 | - - - - - | 1,000 |
| No. 933, 1,000 | - - - - - | 1,000 |
| No. 966, 1,000 | - - - - - | 1,000 |
| No. 963, 1,000 | - - - - - | 1,000 |
| No. 962, 1,000 | - - - - - | 1,000 |

| | |
|--------------|----------|
| Amounting to | \$16,000 |
|--------------|----------|

No interest being charged upon them.

| | | |
|---------------------------------------|-----------|------------------|
| No. 420, \$1,000 princ'l. \$250 int., | - - - - - | \$1,250 00 |
| No. 1127, 1,000 princ'l. 250 int., | - - - - - | 1,250 00 |
| No. 4312, 1,000 princ'l. 275 int., | - - - - - | 1,275 00 |
| No. 1128, 1,000 princ'l. 300 int., | - - - - - | 1,300 00 |
| 189 coupons at \$25 00 each, | - - - - - | 4,725 00 |
| | | <u>9,800 00</u> |
| | | <u>16,000 00</u> |

| | | |
|--------------------------|-----------|-------------|
| Making in all the sum of | - - - - - | \$25,800 00 |
|--------------------------|-----------|-------------|

STATEMENT C.

The following statement shows the receipts and expenditures from January 1st, 1847, to January 1st, 1848, inclusive:

RECEIPTS AT THE TREASURY.

On the first of January 1847, there was remaining in the Treasury, provided all warrants to that date had been paid, the sum of - - - \$594,681 61

Since that date the following amounts have been received, as follows, to wit:

| | | |
|---|-----|------------|
| On account of revenue of 1839, the sum of | - - | 10 46 |
| On account of revenue of 1840, the sum of | - - | 5 85 |
| On account of revenue of 1841, the sum of | - - | 145 20 |
| On account of revenue of 1842, the sum of | - - | 125 79 |
| On account of revenue of 1843, the sum of | - - | 504 04 |
| On account of revenue of 1844, the sum of | - - | 1,159 29 |
| On account of revenue of 1845, the sum of | - - | 23,321 32 |
| On account of revenue of 1846, the sum of | - - | 321,442 83 |
| On account of revenue of 1847, the sum of | - - | 34,389 63 |

| | | |
|--|---------|----|
| On account of damages on loans of Treasury fund, - | 84 | 31 |
| On account of interest on sales of Wabash and Erie Canal lands west of Tippecanoe river, - | 1,679 | 29 |
| On account of sales of Saline lands, (principal,) - | 3,064 | 64 |
| On account of interest on sales of saline lands, - | 525 | 08 |
| On account of interest on loans of saline fund, - | 1,746 | 20 |
| On account of loans of saline fund refunded, - | 1,814 | 33 |
| On account of damages on sales of saline lands, - | 45 | 65 |
| On account of loans of college fund, - | 3,871 | 31 |
| On account of interest on loans of college fund, - | 3,945 | 74 |
| On account of sales of lands, college fund, - | 1,117 | 83 |
| On account of interest on same, - | 916 | 66 |
| On account of damages on sales of college lands, - | 222 | 20 |
| On account of loans of Bank tax fund, refunded, - | 1,668 | 73 |
| On account of interest of loans of Bank tax fund, - | 927 | 98 |
| On account of interest on loans of surplus revenue fund, - | 281 | 38 |
| On account of surplus revenue loans, refunded, - | 402 | 55 |
| On account of Internal Improvement warrants, re- deemed, - | 21,738 | 07 |
| On account of delinquent revenue of 1846, - | 680 | 55 |
| On account of damages on Bank tax fund, - | 25 | 00 |
| On account of costs of advertising Treasury fund, re- funded, - | 10 | 00 |
| On account of sales of lots in Indianapolis, - | 131 | 25 |
| On account of costs of advertising saline fund, re- funded, - | 11 | 00 |
| On account of advertising college fund refunded, - | 36 | 50 |
| On account of advertising bank tax fund, refunded, - | 2 | 00 |
| On account of estates without heirs, - | 364 | 52 |
| On account of loans of Treasury fund, refunded, - | 500 | 00 |
| On account of interest on loans of Treasury fund, re- funded, - | 453 | 33 |
| On account of loans of Congressional township fund, refunded, - | 240 | 00 |
| On account of interest on loans of Congressional township fund, - | 45 | 22 |
| On account of sales of Wabash and Erie Canal lands east of Tippecanoe river, - | 49,646 | 12 |
| On account of interest on sales of Wabash and Erie Canal lands east of Tippecanoe river, - | 30,893 | 75 |
| On account of tolls on Wabash and Erie Canal east of Tippecanoe river, - | 103,059 | 59 |
| On account of penalties on Wabash and Erie Canal east of Tippecanoe river, - | 358 | 51 |
| On account of sales of Wabash and Erie Canal lands west of Tippecanoe river, - | 10,760 | 93 |
| On account of water rents on Central Canal, - | 765 | 13 |

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|--|-----------|
| On account of Common School funds, from Bank dividend, - - - - - | 87,693 48 |
| On account of receipts from Lawrenceburg Railroad company, - - - - - | 5,525 20 |
| On account of suspended debt, - - - - - | 91,021 07 |
| On account of tolls on New Albany and Vincennes turnpike road, - - - - - | 4,516 56 |
| On account of sales of Revised Statutes, - - - - - | 173 30 |
| On account of Michigan road, - - - - - | 100 00 |
| On account of Bank tax fund, - - - - - | 3,316 04 |
| On account of interest on Indianapolis fund, - - - - - | 87 40 |
| On account of penalties on Wabash and Erie Canal lands west of Tippecanoe river, - - - - - | 517 58 |
| On account of costs of advertising delinquent lands of Wabash and Erie Canal east of Tippecanoe river, refunded, - - - - - | 26 50 |

Total receipts from January 1, 1847, to January 1, 1848, (including balance on hand, January 1, 1847.) \$1,410,994 12

EXPENDITURES.

| | |
|---|------------|
| Amount audited on account of Probate Judges, - | \$5,081 00 |
| Amount audited on account of damages on loans of Treasury Fund, - - - - - | 78 17 |
| Amount audited on account of expenses of treasury Notes, - - - - - | 334 57 |
| Amount audited on account of sales of Saline Lands | 2,048 69 |
| Amount audited on account of expenses of Saline Fund, - - - - - | 130 15 |
| Amount audited on account of damages on sales of Saline Lands, - - - - - | 60 00 |
| Amount audited on account of loans of College Fund, | 3,895 50 |
| Amount audited on account of interest on College Fund loans, - - - - - | 4 74 |
| Amount audited on account of damages on sales of College Lands, - - - - - | 207 39 |
| Amount audited on account of Saline Fund distributed, - - - - - | 6,896 40 |
| Amount audited on account of Bank Tax Fund, distributed, - - - - - | 11,368 47 |
| Amount audited on account of surplus revenue fund distributed, - - - - - | 403 49 |
| Amount audited on account of damages on surplus Revenue Fund, - - - - - | 70 55 |
| Amount audited on account of New State Prison, - | 3,306 97 |
| Amount audited on account of three per cent. fund distributed, - - - - - | 1,544 96 |

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|--|-----------|
| Amount audited on account of Judiciary, - - - | 15,134 45 |
| Amount audited on account of State House, - - - | 1,586 75 |
| Amount audited on account of specific appropriations, - - - | 10,850 63 |
| Amount audited on account of public printing, - - - | 7,360 97 |
| Amount audited on account of Prosecuting Attorneys, - - - | 2,016 42 |
| Amount audited on account of Legislature, - - - | 36,498 46 |
| Amount audited on account of damages on Bank tax Fund, - - - - - | 25 00 |
| Amount audited on account of State Library, - - - | 1,558 07 |
| Amount audited on account of Professor's salaries, - - - | 3,900 00 |
| Amount audited on account of militia, - - - | 850 00 |
| Amount audited on account of stationery and fuel, - - - | 3,093 36 |
| Amount audited on account of Executive, - - - | 9,101 18 |
| Amount audited on account of revenue of 1842, refunded, - - - - - | 2 00 |
| Amount audited on account of revenue of 1843, refunded, - - - - - | 19 97 |
| Amount audited on account of revenue of 1845, refunded, - - - - - | 117 66 |
| Amount audited on account of revenue of 1846, refunded, - - - - - | 123 15 |
| Amount audited on account of costs of advertising Treasury fund, - - - - - | 3 75 |
| Amount audited on account of costs of advertising Saline fund, - - - - - | 51 75 |
| Amount audited on account of cost of advertising College fund, - - - - - | 126 50 |
| Amount audited on account of cost of advertising Bank tax fund, - - - - - | 23 00 |
| Amount audited on account of cost of advertising Surplus Revenue fund, - - - - - | 6 50 |
| Amount audited on account of expenses of University fund, - - - - - | 11 62 |
| Amount audited on account of loans of Treasury fund refunded, - - - - - | 67 31 |
| Amount audited on account of interest on loans of treasury fund, refunded, - - - - - | 47 22 |
| Amount audited on account of loans of Congressional township fund, - - - - - | 250 00 |
| Amount audited on account of Congressional township fund, distributed, - - - - - | 63 70 |
| Amount audited on account of New State Prison, - - - | 18,440 33 |
| Amount audited on account of construction of Wabash and Erie Canal, East - - - | 19,326 05 |
| Amount audited on account of repairs of Wabash and Erie Canal, East - - - | 8,740 38 |
| Amount audited on account of incidental expenses of Wabash and Erie Canal, East - - - | 1,143 44 |
| Amount audited on account of sales of Wabash and Erie Canal lands, East, refunded, - - - | 374 88 |

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|--|------------|
| Amount audited on account of interest on sales of Wabash and Erie Canal lands, refunded, - - - | 271 71 |
| Amount audited on account of Wabash and Erie Canal scrip, East, cancelled, - - - | 90,464 85 |
| Amount audited on account of tolls on Wabash and Erie Canal, East, to trustees and others, - - | 7,002 00 |
| Amount audited on account of penalties on Wabash and Erie Canal, East, - - - | 76 52 |
| Amount audited on account of interest on Wabash and Erie Canal scrip, East, cancelled, - - | 7,959 00 |
| Amount audited on account of expenses of construction of Wabash and Erie Canal, West, - - | 7,903 03 |
| Amount audited on account of incidental expenses on Wabash and Erie Canal, West, - - - | 677 34 |
| Amount audited on account of damages on the Wabash and Erie canal, west, for right of way, - | 20,030 00 |
| Amount audited on account of sales of Wabash and Erie canal, west, (expenses) - - - | 5 39 |
| Amount audited on account of Wabash and Erie canal scrip west, cancelled, - - - | 191,150 00 |
| Amount audited on account of repairs on the Central canal, north division, - - - | 20,211 60 |
| Amount audited on account of incidental expenses on Central canal, north division, - - - | 843 00 |
| Amount audited on account of payments directed under joint resolution, by Agent of State, - - | 9,438 45 |
| Amount audited on account of contingent fund, - - | 619 30 |
| Amount audited on account of 5 per cent. treasury notes, cancelled, (principal) - - - | 100,320 00 |
| Amount audited on account of interest on 5 per cent treasury notes, cancelled, - - - | 16,073 37 |
| Amount audited on account of suspended debt, - | 2,499 70 |
| Amount audited on account of six per cent. treasury notes, redeemed and cancelled, (principal) - | 148,510 00 |
| Amount audited on account of interest on six per cent. treasury notes, redeemed and cancelled, - - | 40,632 36 |
| Amount audited on account of salary of State Agent, - | 1,000 00 |
| Amount audited on account of incidental expenses of State Agent, - - - | 6,427 84 |
| Amount audited on account of repairs on New Albany and Vincennes turnpike road, - - - | 2,561 46 |
| Amount audited on account of incidental expenses on New Albany and Vincennes turnpike road, - | 1,955 06 |
| Amount audited on account of expenses of Governor's circle, - - - | 64 16 |
| Amount audited on account of expenses of distribution of laws and journals, - - - | 436 71 |
| Amount audited on account of deaf and dumb, - | 9,439 37 |

| | |
|---|---------------------|
| Amount audited on account of repairs and expenses of Governor's house, - - - - | 855 15 |
| Amount audited on account of Wolf scalps, - - - - | 3 00 |
| Amount audited on account of expenses on Wabash and Ohio canal, - - - - | 1,111 76 |
| Amount audited on account of education of blind, - - - - | 7,053 57 |
| Amount audited on account of Indiana hospital for the insane, - - - - | 19,992 58 |
| Amount audited on account of interest on State debt, - - - - | 78,600 00 |
| Amount audited on account of expenses of transportation of public arms, - - - - | 588 51 |
| Amount audited on account of penalties of Wabash and Erie canal, west, - - - - | 39 32 |
| <hr/> | |
| Total amount audited from January 1, 1847, to January 1, 1848, inclusive, - - - - | <u>\$971,220 10</u> |
| Total receipts from January 1, 1847, to January 1, 1848, - - - - | 1,410,994 12 |
| Total expenditures during same period, - - - - | <u>971,220 10</u> |
| <hr/> | |
| Balance in treasury on the first day of January, 1848, provided all warrants issued prior to that date had been redeemed, - - - - | <u>\$439,774 02</u> |

Said report was laid on the table and 500 copies were ordered to be printed.

Mr. Dobson made the following report, which was concurred in :

MR. SPEAKER :

The select committee to whom was referred the petition of James Galletty and others preferring charges against the branch of the State bank at Terre Haute, have directed me to report that they have had the same under consideration, that they have not been able to investigate the matter as fully as was expected, owing to the fact that they could not get all the testimony before them, particularly the officers and books of the bank, and some other important evidence. The committee are not therefore able to decide whether said charges are true or not, and believing that they cannot get said evidence before the close of the session, ask to be discharged from the further consideration of the subject ;

Mr. Dobson also made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of a number of citizens of Owen county in relation to the mode of doing county business in said county, have had the same under consider-

ation and have directed me to report that it is inexpedient to legislate on the subject at this time ;

Which was concurred in.

On motion by Mr. Dunham,
Senate bill No. 227 was taken from the table and placed in the files.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with two amendments, to-wit :

No. 404. An act making allowance to the Adjutant and Quartermaster general, for the year 1847 ;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to said bill were concurred in by the House.

Ordered, That the Senate be informed thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bills thereof entitled ;

No. 254. An act amendatory to the law in regard to writs of *ad quod damnum* ;

No. 340. An act to authorize the treasurer of State to draw the State's dividend on her stock in the Madison and Indianapolis railroad company, and for other purposes ;

In which the concurrence of the House is respectfully requested.

No. 254, in said message,

Was read a first and second times, the rules being suspended, and,

On motion by Mr. Harvey,

Was laid on the table.

No. 340, in said message,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bills of the House with sundry amendments, entitled

No. 58. An act to provide for the improvement of common schools ;

No. 41. An act for the election of township assessors in the counties therein named ;

No. 389. A joint resolution in relation to the improvement of the Iroquois river in the State of Indiana :

No. 417. An act for the benefit of the Jeffersonville and New Albany railroad company ;

In which the concurrence of the House is respectfully requested.

In which amendments to said bills, in said message mentioned, the House concurred.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof, to-wit :

No. 312. An act to establish a certain State road therein named ;

No. 316. An act to incorporate the Indiana Iron Manufacturing company ;

No. 318. An act explanatory of an act entitled an act to amend an act entitled an act for the benefit of the volunteers for the Mexican war, and for the relief of county treasurers, approved January 13, 1848 ;

In which the concurrence of the House is respectfully requested.

Nos. 316, 318, in said message mentioned,

Were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bills thereof entitled ;

No. 317. An act to amend an act entitled an act for the relief of Elias Murray, approved January 27, 1847 ;

No. 323. An act in relation to the Ohio and Indianapolis railroad company ;

In which the concurrence of the House is respectfully requested

No. 317, in said message mentioned,

Was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

No. 323, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, when

Mr. Ford moved to amend said bill by striking out Jackson county from the provisions of the bill ;

Which was adopted.

The rules were then suspended, and the bill read a third time and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cole, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have directed me to report that they have examined and compared the following enrolled bills of the House with the engrossed bills thereof, and find the same correctly enrolled, to-wit :

No. 398. An act to incorporate the Anderson Bridge Company ;

No. 220. An act to amend an act entitled " An act appointing commissioners to make partition of the real estate of Stephen S. Collett, late of Vermillion county," approved January 19th, 1846 ;

No. 384. An act to incorporate the town of New Columbus, in Madison county ;

Whererupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate, for the signature of their President.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following bill and find it correctly enrolled, to-wit :

No. 390. An act to vacate certain lots, alleys, and streets there-

in named, in the town of New Lawrenceburgh, in Dearborn county;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

Mr. Cole, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills instruct me to report that they have examined and compared the following enrolled bills of the House with the engrossed bills thereof, and find the same correctly enrolled, to-wit:

No. 258. An act to amend an act to incorporate the Madison, Lexington, and Brownstown Turnpike Company;

No. 399. An act to locate a State road in the counties of Fulton, Marshall, Pulaski and Starke;

No. 141. An act regulating the granting of license to retail spirituous liquors, in the counties of Gibson and Dubois;

No. 416. An act to vacate certain streets and alleys in New Carlisle, in St. Joseph county;

No. 87. A bill fixing the time of holding circuit court in the county of Madison, and for other purposes;

No. 189. An act to authorize the auditor and school commissioner of Morgan county, to make a deed to Wm. Berry for certain school land in said county;

No. 403. An act to authorize additional election precincts in Decatur county;

No. 174. An act to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes;

No. 154. An act to relocate part of the State road from Harrison to Indianapolis;

No. 268. An act to incorporate the town of Winchester in Randolph county, Indiana;

No. 509. An act for the relief of James Vanblaricum;

No. 424. An act to exempt the property of blind, and deaf and dumb persons from taxation;

No. 523. An act to authorize the agent of State to make a settlement with John Burke;

No. 527. An act to amend sections 134 and 137, of chapter 37 of the Revised Statutes;

No. 507. An act to authorize Aaron Houghton, administrator, to compound a certain debt;

No. 518. An act to authorize the location of a State road on the county line of Lake and Porter counties;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President thereof.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills report that they have compared the following joint resolution, and find it correctly enrolled, to-wit :

No. 515. A joint resolution asking the aid of the General Government for the American Colonization Society ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

Mr. Lane, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following bill and find the same correctly enrolled, to-wit :

No. 324. An act in relation to the saline lands in this State ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk carry the same to the Senate for the signature of their President.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with two amendments, to-wit :

No. 275. An act to repeal an act therein named ;

In which amendments the concurrence of the House is respectfully requested.

The amendments in said message mentioned, were concurred in by the House.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives, that the Senate have passed engrossed bill of the House, with one amendment :

No. 494. An act amendatory of the laws relating to the practice in chancery ;

In which the concurrence of the House is respectfully requested.

In which amendments in said message mentioned the House concurred.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate, has passed an engrossed bill of the Senate :

No. 342. An act to repeal a part of an act therein named ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to wit ;

No. 186. An act confirming the marriage between Thomas Berry and Elizabeth Berry ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned,

Was read three several times, the rules being suspended therefor, and

On motion by Mr. Cookerly,

Laid on the table.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments, to wit :

No. 289. An act to regulate the sale of spirituous liquors in the county of Floyd ;

In which amendments the concurrence of the House is respectfully requested ;

In which amendments of the Senate the House concurred.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to wit :

No. 331. An act to define the law in relation to baliffs in the Hancock circuit court ;

No. 332. An act releasing the right of the State to certain lands in Hancock county, which was acquired by escheat ;

No. 334. An act to authorize the county commissioners of Warren county to establish an additional place of holding elections in Medina township of said county ;

No. 335. A joint resolution in relation to making compensation to the Adjutant General of the State ;

No. 333. An act for the relief of the heirs of Ezra Smith deceased ;

No. 229. An act to repeal so much of an act entitled an act fixing the time of holding the probate courts of Ripley county, approved January 7, 1847, as relates to the compensation of the probate judge ;

In which the concurrence of the House is respectfully requested.

All said bills in said message mentioned, were read three several times, the rules being suspended therefor, and passed ;

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have refused to concur in the engrossed amendments of the House to the engrossed bill of the Senate, entitled ;

No. 234. An act to amend an act entitled an act to incorporate the White Water Valley canal company, approved January 20, 1842 ;

The House,

On motion by Mr. Meredith,

Insists on its amendments to said bill, and

On motion by Mr. Meredith,

A free committee of conference was appointed to confer with a similar committee of the Senate, in relation to their disagreement.

Whereupon the Speaker appointed Messrs. Meredith and Baldwin that committee.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 327. An act for the relief of the late school commissioner of Delaware county ;

Said bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed engrossed bill thereof, entitled :

No. 326. An act to allow parties to take depositions in actions at law, after injunction granted ;

In which the concurrence of the House of Representatives is respectfully requested ;

Said bill in said message mentioned, was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, to-wit :

No. 123. An act for the relief of Rudolph Fischli and others ;

No. 222. An act relative to the examination of common school teachers ;

In which the concurrence of the House is respectfully requested.

No. 123. In said message mentioned,

Was read a first time and ordered to a second reading.

No. 221, in said message mentioned,

Was read a first and second times, the rules being suspended therefor, and

On motion,

Was laid on the table.

A message from the Senate by Mr. Test their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives the Senate have passed the following engrossed bills of the House, with sundry amendments, to-wit :

~~was~~ No. 26. An act to authorize the voters of Jefferson township Kosciusko county, to vote at any adjoining poll in their county :

No. 241. An act to amend article 5, chapter 45 of Revised Code of 1843 ;

No. 348. An act to impose additional duties on the prosecuting attorneys of the 12th judicial circuit of this State, and for other purposes ;

In which amendments the concurrence of the House is respectfully requested.

No. 26, in said message mentioned,

Was,

On motion by Mr. Frazer,

Laid on the table.

The House concurred in the Senate's amendments to No. 241 and 248, in said message mentioned.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed a joint resolution and a bill thereof, entitled :

No. 212. A joint resolution declaratory of the meaning of an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, and an act supplementary thereto, approved January 28, 1847, in relation to the conveyance of certain canal lands therein named ;

No. 321. An act to provide for repairing the building in the Governor's Circle ;

In which the concurrence of the House is respectfully requested.

Nos. 212 and 321, in said message mentioned,

Were each read three several times, the rules being suspended therefor, and passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have refused to concur in the amendment of the House to the engrossed joint resolution of the Senate, entitled :

No. 80. A joint resolution requesting the Governor of the State of Indiana to present a sword to General Joseph Lane.

On motion by Mr. Meredith,
The House insists on its amendment.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representatives, that the Senate have passed the following engrossed bill thereof, to-wit.:

No. 285. An act for the the benefit of reserved townships of seminary lands in Monroe county ;

In which the concurrence of the House is respectfully requested.

Said bill in said message mentioned was read three several times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following bill without amendment, to-wit :

No. 154. A bill to relocate part of the State road from Harrison to Indianapolis.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, to-wit :

No. 262. An act authorizing additional place of holding elections in Hamilton township, in Jackson county ;

No. 440. An act amendatory of an act to incorporate the town of Greenfield in Hancock county, approved January 28, 1847 ;

No. 451. An act to authorize A. and A. J. Helton to raise their mill dam ;

No. 481. An act making general appropriations for the year 1848.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the amendments of the House to the Senate bill, entitled :

No. 119. An act to extend the jurisdiction of justices of the peace in certain criminal cases.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following joint resolution of the House, to-wit :

No. 515. A joint resolution asking the aid of the General Government for the American Colonization Society ;

Without amendment.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, without amendment, to-wit.:

No. 386. An act to incorporate the Mechanics' and Working Man's Institute of Mt. Vernon, in Posey county.

I am further directed by the Senate to inform the House that the Senate have concurred in the engrossed amendments of the House to Senate bill entitled :

No. 323. An act in relation to the Ohio and Indianapolis Railroad Company.

I am also directed to inform the House that the Senate have passed engrossed bills of the House, without amendment, to-wit :

No. 324. An act in relation to the saline lands in this State ;

No. 135. An act to vacate certain streets and alleys therein named.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, without amendment, to-wit.:

An act to amend the Madison, Lexington, and Brownstown Turnpike company.

A message from the Senate, by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has agreed to the report of the second committee of free conference appointed in regard to the disagreement of the two Houses in relation to the bill of the House No. 505, entitled "An act making specific appropriations for the year 1848."

On motion by Mr. Holden,

A committee of free conference was appointed in relation to the joint resolution giving to Gen. Joseph Lane and others a sword ;

Whereupon Messrs. Holden and Orton were appointed on the part of the House.

HOUSE BILLS ON SECOND READING.

No. 511. A bill relative to elections in Owen county ;

Was read a second time, and,

On motion by Mr. Lockwood,

Amended by inserting the county of Green.

Said bill was then ordered to be engrossed.

No. 514. A bill to revive and continue in force an act incorporating a certain company ;

No. 513. A bill for the relief of Ebenezer F. Lucas, late superintendent of the Wabash and Erie Canal ;

Were severally read a second time and laid on the table.

No. 519. A bill changing the mode of taking and bearing testimony in all proceedings in chancery in this State ;

Was read a second time and laid on the table.

SENATE BILLS ON SECOND READING.

No. 117. A bill to repeal all laws requiring certain process and other instruments of writing to be sealed with a seal of wax wafer or ink scrawl ;

No. 170. A bill to regulate the proceedings in actions of waste ;

No. 183. A bill to amend the law in the service and return of process ;

No. 185. A bill to authorize executors, administrators, and guardians to make deeds in certain cases ;

No. 227. A bill in relation to water power on the Central Canal ;

No. 286. A bill to regulate the testimony in certain cases in the conveyance of real estate ;

Were severally read a second time and laid on the table.

No. 226. A joint resolution in regard to Gen. Taylor;

Was read a second time, when,

Mr. Harvey moved to suspend the rules and read the same a third time now.

Messrs. Jones, of Bartholomew, and Norris demanded the ayes and noes :

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Bryant, Cole, Criswell, Dimmett, Dole, Frazer, Graham, Harvey, Holden, Hunt, Kennard, Kinney, Lichteberger, Lockwood, Major, Meredith, Morrison Orton, Robinson, Sackett, Shryock, Williams of Knox, and Mr. Speaker—26.

Those who voted in the negative are,

Messrs. Dunham, Ford, Hall, Jones of Bartholomew, May, Norris, Rulon, and Tinbrook—8.

No quorum voting the question was not decided.

No. 309. An act for the benefit of the widow of the late Wm. H. May, deceased ;

No. 300. An act to increase the power of the county board in the county of Blackford ;

Were severally read a second and third times, the rules being suspended therefor, and passed.

Ordered, That the Senate be informed thereof.

Mr. Hull offered the following resolution, which was adopted :

Resolved, That the thanks of this House are due Mr. Peter Daggy for the able and polite manner with which he discharged the duties of the principal Clerk, during the inability of the Clerk to attend to his duties, occasioned by sickness.

Mr. Hunt offered the following resolution :

Resolved, That the use of the Hall be granted to the trustees of the Institution for the education of the blind, on any evening on which they may desire it, for the purpose of giving a public exhibition for the gratification of the citizens and the friends of said institution ;

Which was adopted.

Mr. Meredith offered the following resolution :

Resolved, That in the opinion of this House members of the General Assembly for the year 1847 and '8 are entitled to receive \$3 00 for every twenty-five miles they shall severally travel, on the most usual route, in going to and returning from the General Assembly.

Pending which,

On motion by Mr. Harvey,

The house adjourned until 2 o'clock.

2 o'clock P. M.

The House met.

Mr. Meredith withdrew the resolution which was pending at the adjournment.

The following message was received from the Senate by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate insist upon the engrossed amendments of the Senate which were not concurred in by the House, to the engrossed bill of the House entitled ;

No. 505. An act making specific appropriations for the year 1848 ;

The Senate have concurred in the engrossed amendments of the House to the engrossed amendment of the Senate to said bill.

On motion,

The House insisted on their disagreement to the amendments of the Senate to the bill in said message mentioned.

Messrs. Bryant and Meredith were appointed a committee of free conference on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have appointed Messrs. Hardin and Morrison a committee of free conference on the part of the Senate, to act with a similar committee on the part of the House, to take into consideration the disagreement of the two Houses, relative to the bill of the House No. 505, entitled :

An act making specific appropriations for the year 1848.

On motion by Mr. Harvey,

The House took from the table Senate bill,

No. 254. A bill amendatory to the laws relative to writs of *ad quod damnum*;

Which was read a third time and passed,

Ordered That the Clerk inform the Senate thereof.

On motion by Mr. Kinney,
The House took up House bill,

No. 56. A bill to provide for the improvement of common schools;

The amendments of the Senate to said bill were concurred in.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Governor by Mr. Sleeth his Secretary :

To the House of Representatives :

GENTLEMEN :—The accompanying bills entitled “An act to vacate the streets and alleys and town lots in Georgetown in the county of Adams,” and an act to vacate certain enlargements to the city of Evansville, are returned to your House in which they originated without my approval, for the reasons heretofore given on similar occasions; that is to say, that ample power already exists under a general law for accomplishing the same object, by application to the corporate authorities of an incorporated town or city, and to the board of county commissioners in case it is not incorporated or where its corporate powers have fallen into disuse. That mode is less expensive, less liable to invade private rights, or public convenience, and is not attended with so much delay.

As a former message involving the same question was not sustained by the House at the present session, I should not feel it incumbent upon me to transmit the present one, involving as it does only a question of expediency, were it not that it is understood the Senate afterwards sustained the principle on its separate action.

JAMES WHITCOMB.

February 15, 1848.

The question then being put,

Shall said bill No. 269 become a law notwithstanding the objections of the Governor?

The ayes and noes were ordered.

Those who voted in the affirmative are,

Messrs. Blythe, Brown, Bryant, Cole, Cookerly, Danner, Davis, Dole, Frazer, Graham, Hankins, Harding, Harvey, Hull, Lockwood, McKinzie, Meredith, Morrison, Orton, Robinson, Stone, and Mr. Speaker—25.

Those who voted in the negative are,

Messrs. Carr, Chambers, Dimmett, Dobson, Dunham, Ford, Fuller, Holden, Jones of Bartholomew, Lichteberger, Major, May, Mills, May, Roache, Rulon, Short, Shryock, Sullivan, Thompson of Gibson, Tinbrook, and Williams of Knox—22.

No quorum voting, the question remains among the unfinished business of the session.

And the question also being put,

“Shall said bill No. 184 become the law notwithstanding the objections of the Governor,”

The ayes and noes being ordered,

Those who voted in the affirmative are,

Messrs. Blythe, Brown, Bryant, Cole, Cookerly, Criswell, Dole, Frazer, Graham, Hankins, Harding, Harvey, Hull, McKinzie, Meredith, Orton, Robinson, Stone, Thompson of Gibson, and Mr. Speaker—20.

Those who voted in the negative are,

Messrs. Chambers, Dimmett, Dunham, Ford, Fuller, Holden, Jones of Bartholomew, Lane, Lichteberger, Lockwood, Major, May, Mills, Norris, Rulon, Short, Sullivan, Tinbrook, Williams of Knox, and Wolfe—21.

No quorum voting, the question remains among the unfinished business of this session.

The following message was received from the Governor, by Mr. Sleeth, his Private Secretary :

TO THE HOUSE OF REPRESENTATIVES:

Gentlemen—The accompanying bills, entitled, severally, “an act to vacate a certain street in the village of Byron in Laporte county,” and “an act to vacate a part of the town of Hagerstown in Wayne county,” are returned to the House in which they originated, with the objection which has constrained me to withhold my approval.

That objection has already been communicated with a former bill for a similar object, and is in short, that ample provision already exists for vacating streets, alleys, lots, towns, and parts of towns, under a general law, with far less danger of violating private or public rights, attended with far less expense ; and that expense, too, not imposed upon the tax payers of this State.

JAMES WHITCOMB.

February 14th, 1848.

The question then being put,
 "Shall said bill No. 165 become a law notwithstanding the objections of the Governor,
 The ayes and noes being ordered,

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Cole, Cookerly, Criswell, Graham, Hankins, Harding, Harvey, Hull, McKinzie, Meredith, Morrison, Orton, Robinson, Stone, and Mr. Speaker—18.

Those who voted in the negative are,

Messrs. Chambers, Davis, Dimmett, Dobson, Dole, Dunham, Ford, Fuller, Holden, Jones of Bartholomew, Lane, Lichteberger, May, Norris, Richmond, Roache, Rulon, Short, Shryock, Sullivan, Thompson of Gibson, Tinbrook, Williams of Knox, and Wolfe—24.

No quorum voting, the question remains among the unfinished business of the session.

And the question also being put,

"Shall said bill No. 262 become the law notwithstanding the objection of the Governor?"

And the ayes and noes being ordered,

Those who voted in the affirmative are,

Messrs. Baldwin, Blythe, Brown, Cole, Cookerly, Criswell, Dole, Graham, Hankins, Harding, Hull, Lockwood, McKinzie, Morrison, Orton, Robinson, Stone, and Mr. Speaker—19.

Those who voted in the negative are,

Messrs. Chambers, Davis, Dimmett, Dunham, Fuller, Holden, Jones of Bartholomew, Lane, Lichteberger, Major, May, Mills, Norris, Roache, Rulon, Short, Shryock, Sullivan, Thompson of Tinbrook, Williams of Knox, and Wolfe—22.

No quorum voting, the question remains among the unfinished business of the session.

A message from the Senate by Mr. Test, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit :

No. 141. An act regulating the granting of licence to retail spirituous liquors in the counties of Gibson and Dubois;

In which the concurrence of the House is respectfully requested.

Said bill No. 141 was read three several times the rules being suspended therefor and passed.

Ordered, That the Senate be informed thereof.

Mr. Harvey made the following report :

MR. SPEAKER :

The committee on corporations, to whom was referred bill of the Senate No. 270, entitled an act to incorporate the Cincinnati and St. Louis Railroad Company, have instructed me to report, that, owing to the lateness in the session, said committee have been unable to consider the same, and have directed me to report said bill back to the House and recommend that it be laid on the table;

Which was concurred in.

Mr. Bryant made the following report :

MR. SPEAKER :

The committee of ways and means, to which was referred bill No. 11, of the Senate, entitled an act to regulate the fees and salaries of county offices in Marion county, with instructions to inquire into the expediency of making it a general law, has had the same under consideration and instructed me to report that it is inexpedient to make the same a general law, and ask to be discharged from the further consideration thereof.

Which was concurred in.

On motion by Mr. Thompson of Gibson,

Said bill No. 11 was laid on the table.

Mr. Sackett offered the following resolution,

Which was adopted :

Resolved, That the members of the House of Representatives give their sincere thanks to the reporters of the Indiana State Journal and Sentinel, in their untiring, industrious, and correct manner in which they have reported the proceedings of the present session of the House of Representatives."

Mr. Bryant, from a committee of free conference, made the following report :

MR. SPEAKER :

The committee on free conference begs leave to report that the

committee on the part of the Senate agrees to recede from its amendment to the 53d section of the bill.

The Senate also recedes from its amendment to the 12th section.

The Senate also recedes from its amendment to the 29th section.

The Senate also recedes from its amendment to the 48th section.

The House agrees to the Senate's amendment to the 45th section.

The committee could not agree in relation to the 5th section, the 6th section, the 37th section, section 56, and section 59.

Mr. Harvey moved that the House concur in said report so far as the amendments agreed on by said committee of free conference were concerned;

Which motion prevailed.

Mr. Harvey moved that the House appoint a second committee of free conference, in relation to those matters wherein the first committee could not agree;

Which prevailed.

Messrs. Harvey and Lane were appointed said committee.

Ordered, That the Senate be informed thereof.

Mr. Winstandley obtained leave to withdraw a certain petition and remonstrance on the subject of the license laws.

Mr. Dobson obtained leave to withdraw a certain petition in relation to obstructions in White river.

Mr. Hunt obtained leave of absence for the remainder of the session.

A message from the Senate, by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the amendments agreed to by the committee of free conference, in relation to the amendments of the Senate to House bill, entitled :

No. 505. An act making specific appropriations for the year 1848 ;

And have appointed Senators Huffstetter and Malott a second committee of free conference to consider of the matters of disagreement, about which the first committee of free conference could not agree.

Mr. Orton obtained leave to withdraw a certain petition and remonstrance relative to the license laws.

Mr. Wolfe obtained leave to withdraw House bill No. 88.

Mr. Harvey, from the committee of free conference, made the following report :

MR. SPEAKER :

The second committee on free conference, appointed on part of the House to act with a similar committee on the part of the Senate, to take into consideration the matters of difference between the two Houses, in relation to the amendments of the Senate to bill of the House No. 505, entitled "An act making specific appropriations for the year 1848," beg leave to report, that said committee have had the same under consideration and agreed as follows:

1st. That the Senate recede from its amendment, striking out the 5th section.

2d. That the Senate recede from its amendment, striking out the 6th section.

3d. That the amendment of the Senate striking out the 37th section, be so modified as to allow Amory Kinney thirty six dollars.

4th. That the House concur in the amendments of the Senate, striking out the 56th and 59th sections.

In which the concurrence of the House is requested,

And the committee ask to be discharged from the further consideration of the subject;

Which was concurred in by the House.

A message from the Senate, by Mr. Test their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have appointed Senators Simpson and Stewart a committee of free conference on their part, to act with a similar committee appointed on the part of the House, to take into consideration the disagreement between the two Houses, on the bill of the Senate entitled,

No. 234. An act to amend an act entitled "An act to incorporate the White Water Valiey Canal Company," approved January 20, 1842 ;

Mr. Lane, from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills report that they have compared the following bill and find it correctly enrolled :

No. 99. A bill in regard to the bonds of county officers ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

Mr. Cole, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined and compared the following enrolled bills of the House with the engrossed bills thereof, and find them correctly enrolled :

No. 400. An act to locate and re-locate certain State roads in the county of Miami ;

No. 405. An act to repeal " An act exempting improvements on real estate from taxation in the counties of Kosciusko and Miami," approved January 23, 1847, so far as the county of Miami is concerned ;

No. 459. An act to incorporate the Peru and Wabash free Bridge Company ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of the President.

Mr. Ford, from the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following bills and find them correctly enrolled :

No. 437. An act to amend an act entitled an act to repeal an act to amend the fourth article of the seventeenth chapter of the Revised Statutes of 1843, so far as the same relates to the counties of Washington and Jackson, approved January 5th, 1844, so far as the same relates to the county of Washington ;

No. 389. A joint resolution in relation to the improvement of the Iroquois river, in the State of Indiana ;

No. 508. An act to require the school commissioner of Marion county to give a bond and take an oath of office ;

No. 153. An act to authorize William Horner to convey certain real estate ;

No. 512. An act to incorporate the Vermillion Academy ;

Whereupon the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

Mr. Winsteadly from the committee on enrolled bills made the following report :

MR. SPEAKER :

The committee on enrolled bills have compared the following enrolled bill and find it correctly reported :

No. 289. An act to regulate the sale of spirituous liquors in the county of Floyd ;

Whereupon, the Speaker signed the same.

Ordered, That the Clerk take the same to the Senate for the signature of their President.

The following message was received from his Excellency the Governor by Mr. Sleeth, his private secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did on ——— approve and sign the following bills and joint resolutions, to-wit :

No. 427. An act for the relief William A. Richardson and others ;

No. 498. An act to change the location of a State road therein named ;

No. 81. An act to regulate agencies of foreign Insurance Companies ;

No. 421. An act to incorporate the Canton Manufacturing Company ;

No. 244. An act to incorporate the Madison Hotel Company ;

No. 114. An act to authorize the inspection of hay in the several counties in this State ;

No. 99. A bill in regard to the bonds of county officers ;

No. 499. An act to revive an act entitled an act to incorporate the town of Belleville, Hendricks county, approved February 8th, 1836, and to amend the same ;

No. 383. An act to incorporate the town of Eagle Village, in Boone county ;

No. 477. An act to authorize the building of a sewer in Vigo county ;

No. 224. An act authorizing the boards doing county business to continue in session ten days at their March and June sessions, in certain counties therein named ;

No. 490. An act to change a part of a State road in Delaware county ;

No. 418. A bill making additional allowances to the Secretary of State ;

No. 169. An act to incorporate the Jasper county Iroquois Navigation Manufacturing Company ;

No. 315. An act to incorporate the Peru, Rochester, Plymouth, and South Bend Railroad Company;

No. 282. A bill to incorporate the English and German Evangelical Lutheran St. Paul's Church, in the county of Dearborn;

No. 451. A bill giving further time to the widow of David Browning, deceased, and to the creditors of the estate of said decedent to file claims against said estate;

No. 500. An act to give additional copies of the Revised Statutes of 1843 to Randolph county;

No. 434. An act regulating the width of roads in Marion county;

No. 446. An act to amend the 25th section, of article 2, of chapter 25 of the Revised Statutes of 1843;

No. 176. An act in relation to roads in DeKalb county;

No. 370. An act for the benefit of Widows;

No. 485. An act to locate a State road in Clay and Porter counties;

No. 449. An act making provisions for the payment of the witnesses who attended before the select committee of the House of Representatives, in relation to the charges preferred by James Galletly and others, against the branch of the State Bank at Terre Haute;

No. 215. An act to amend an act entitled an act to incorporate the Covington Draw Bridge Company, approved January 26, 1847;

No. 411. An act authorizing supervisors to work a certain road in Ohio County;

No. 40. An act to encourage the growth of cranberries in the county of Allen, and for the protection of cranberry marshes;

No. 257. An act to incorporate the Celebration Spring Steam Mill Company in Franklin county;

No. 483. An act to revive an act for the location of a State road in the counties of Dubois and Martin;

No. 493. A joint resolution accepting the colors of the Third Regiment of Indiana Volunteers;

No. 412. An act to improve the breed of horses in the county of Miami;

No. 179. An act to authorize Peter Wise and others to build a mill dam across White river, in Hamilton county;

No. 504. An act to define the width of roads in Clinton county;

No. 156. An act to repeal an act providing for the election of supervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved December 26, 1844;

No. 263. An act to amend the charter of the Indiana Medical College;

No. 482. An act to authorize the commissioners of Vigo county to procure a seal for the probate court;

No. 351. An act to encourage the organization of Fire companies;

No. 420. An act to repeal an act entitled "An act to provide for a uniform mode of doing township business in Clay county ;

No. 476. An act to amend an act granting to the citizens of Lawrenceburgh a city charter, and for revising and repealing all laws and parts of laws heretofore enacted on that subject, approved January 20, 1846 ;

No. 227. An act extending the time for supervisors to work their roads in Spencer county ;

No. 212. An act authorizing Albert A. Siddall to sell certain stone in Madison county ;

No. 303. An act to repeal a part of an act entitled an act to change the time of holding the probate court in Ripley county ;

No. 460. An act to authorize certain voters of Daviess county to vote in Washington township, in said county ;

No. 178. A bill to authorize the sale of a certain town lot therein named ;

No. 506. A joint resolution in relation to the claims of the State of Indiana upon the United States, for expences incurred in raising troops for the Mexican war upon the requisitions of the Secretary of War ;

No. 208. An act to extend the time of holding the commissioners' court in Boone county ;

No. 450. An act amendatory of the charter of the city of Indianapolis ;

No. 392. An act to change a certain State road therein named ;

No. 355. An act authorizing the board of commissioners of Elkhart county to direct the sale of certain school lands ;

No. 385. An act to better enable the citizens of Congressional township No. 20 north of range No. 5 east, in the county of Hamilton, to sell school lands ;

No. 374. An act relative to high waters in Jackson county ;

No. 395. An act to repeal an act fixing the salary of the auditor of Miami county, approved January 27, 1847 ;

No. 388. An act to provide for the establishment of a horse-boat ferry across the Wabash river at the town of Williamsport ;

No. 127. An act to incorporate the Princeton Female Academy ;

No. 433. An act for the government of the Indiana Hospital for the Insane ;

No. 448. A joint resolution for the purpose of procuring a mail route from Brownstown, in Jackson county, to David Bowman's, in Salt Creek township, in said county, and from thence to Nashville, in Brown county ;

No. 468. An act to extend the provisions of an act therein named to the county of Wells ;

No. 291. An act to authorize the voters of Congressional township therein named to sell their school lands ;

No. 207. An act repealing so much of section 233 of chapter 30 of the Revised Statutes of 1843, as require the probate courts to

set the time of sales of real estate by executors and administrators ;

No. 354. An act changing the name of William Jackson to that of William Jackson Morgan ;

No. 378. An act to establish a State road on a part of the county line dividing the counties of Wayne and Randolph ;

No. 202. An act to confirm a certain deed to the Methodist Episcopal Church of Carlisle, Sullivan county, Indiana ;

No. 245. An act for the relief of Joseph R. Pratt ;

No. 381. An act to incorporate the town of Washington, Wayne county, Indiana ;

No. 492. A joint resolution of thanks to Elhanan Moberly ;

No. 230. An act to authorize the county auditor and treasurer of Sullivan county to make set-offs in certain cases ;

No. 436. An act changing the name of the town of Alton, in the county of Crawford ;

No. 394. An act to establish a State road in the county of Hancock, and to vacate that part of the State road from Charlottsville, in Hancock county, to where it intersects the Knightstown and Pendleton road, and also to change the location of that part of the State road leading from Charlottsville to Nashville, viz.: So much thereof as from Charlottsville to the mouth of the lane of the farm of James Barthaw, late deceased, so that the same may run from the east end of Charlottsville to the mouth of said lane ;

All of which originated in the House of Representatives.

February 16, 1848.

A message from His Excellency the Governor, by Mr. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did, on yesterday, approve and sign the following bills and joint resolution, to wit :

No. 196. An act to authorize a company to construct the Aurora and Laughery Turnpike ;

No. 197. An act authorizing a company to construct a Turnpike Road from Moore's Hill to Aurora, in Dearborn county ;

No. 145. An act for the relief of the tax-payers in this State ;

No. 353. An act to incorporate the Boonville and Ohio River Rail Road Company ;

No. 425. An act amendatory to an act establishing a free Turnpike Road in the counties of Allen, Whitley, Kosciusko, and Marshall ;

No. 27. An act authorizing the re-valuation of lands in Monroe and Irvin townships, in Howard county ;

No. 119. An act to incorporate the Taylor Cotton Mill ;

No. 120. An act to incorporate the Perry Cotton Mill ;

- No. 122. An act to incorporate the Cannelton Paper Mill ;
 - No. 150. An act to incorporate the Clay Cotton Mills ;
 - No. 123. An act to incorporate the Ward Cotton Mill ;
 - No. 124. An act to incorporate the Indiana Cotton Mills ;
 - No. 126. An act to incorporate the Cannelton Foundry ;
 - No. 125. An act to incorporate the Cannelton Cotton Mill ;
 - No. 121. An act to incorporate the Cannelton Glass Manufacturing Company ;
 - No. 21. An act to authorize the Dearborn Probate Courts to make certain orders and decrees therein named ;
 - No. 89. An act to incorporate the Kosciusko, Elkhart and Miami Rail Road Company ;
 - No. 352. An act to incorporate the Lafayette, Monticello, Winemac and Michigan City Rail Road Company ;
- All of which originated in the House of Representatives.
February 16th, 1848.

The following message was received from His Excellency the Governor, by Mr. Sleeth, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he did, on this day, approve and sign the following bills and joint resolutions, to wit :

- No. 316. An act amending section four hundred and fifty-three, chapter 30, of the Revised Statutes of 1843, and for other purposes ;
- No. 193. An act to authorize the Auditor of Kosciusko county to sell certain lands ;
- No. 185. An act to form a new school district from school districts No. 1 and No. 4, in Congressional township No. 2 north, of range 2 west ;
- No. 391. An act to authorize Avery Allen, of Posey county, to make a deed in a certain case to certain land in said county ;
- No. 400. An act to locate and re-locate certain State roads in the county of Miami ;
- No. 390. An act to vacate certain lots, alleys and streets therein named, in the town of New Lawrenceburgh, in Dearborn county ;
- No. 175. An act to authorize a certain change in the Strawtown and Peru State road, in Hamilton county ;
- No. 405. An act to repeal an act exempting improvements on real estate from taxation in the counties of Kosciusko and Miami, approved January, 23, 1847, so far as the county of Miami is concerned ;
- No. 147. An act to incorporate the Madison, Lexington and Brownstown Turnpike Company ;
- No. 528. An act to amend an act entitled "An act to incorporate the Madison, Lexington and Brownstown Turnpike Company ;"
- No. 485. An act to repeal a part of the 90th section of the six-

teenth chapter, of the Revised Statutes of 1843, so far as the same relates to Shelby county ;

No. 67. An act to incorporate the Attica and Warren County Bridge Company ;

No. 90. An act incorporating the South Bend Woollen and Cotton Manufacturing Company ;

No. 507. An act to authorize Aaron Houghton, administrator of the estate of William Norris, deceased, to compound a certain claim ;

No. 373. An act to amend an act entitled "An act authorizing a company to construct a Turnpike road from Cambridge City, to Muncietown ;

No. 512. An act to incorporate the Vermillion Academy ;

No. 399. An act to locate a State road in the counties of Fulton, Marshall, Pulaski and Stark ;

No. 431. A joint resolution in relation to a mail route from Belleville, in Hendricks county, to Lebanon, in Boone county, in the State of Indiana ;

No. 469. A joint resolution in relation to the Education Society of Indiana ;

No. 408. An act levying a street tax on the inhabitants of the town of Marion and its additions ;

No. 37. An act to incorporate the Connersville Hotel Company ;

No. 324. An act in relation to the saline lands in this State.

All of which originated in the House of Representatives.

February 16th, 1848.

On motion by Mr. Sullivan,
The House adjourned until half past 7 o'clock, P. M.

Half past 7 o'clock, P. M.

The House met.

On motion,
The House adjourned until to-morrow morning, at 6 o'clock.
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THURSDAY MORNING FEBRUARY 17, 1848.

The House met.

A message from His Excellency the Governor, by Mr. Sleeth, his Private Secretary :

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives that the following bill having been presented to him for his approval more than five days ago, but time for the desired research not having been afforded in the hurry of official business, the same has not been approved, nor returned to the House with his objections down to the present time, the same has therefore become a law :

No. 60. An act to incorporate the Madison and Brownstown Turnpike Road Company, by way of Kent, in the county of Jefferson, and Wooster, in the county of Scott ;

Which originated in the House of Representatives.

February 17th, 1848.

The following message was received from the Governor, by Mr. Sleeth, his Private Secretary :

To the House of Representatives :

GENTLEMEN : I herewith return certain bills which originated in the House, entitled :

"An act to vacate a portion of a certain street therein named ;" also,

"An act to vacate certain streets and alleys in New Carlisle, in St. Joseph county ;"

"An act to vacate an alley in the town of Greencastle ;" also,

"An act to vacate a part of Union street, in the town of Decatur, in the county of Adams ;" also,

"An act to vacate the town of Florentine, in Tippecanoe county, Indiana,"

Without my approval, for reasons heretofore given at the present session, to which you are respectfully referred. It may be sufficient now to say, that ample provision is already made, under an existing general law, for accomplishing the same objects, at far less expense to the public, without so much delay, and without the same danger of violating public or private rights.

JAMES WHITCOMB.

February 16, 1848.

And the question being put,
 "Shall said bills, mentioned in said message, become laws notwithstanding the objections of the Governor?"
 And the ayes and noes being ordered.

Those who voted in the affirmative are,

Messrs. Baldwin, Criswell, Lane, Lockwood, Robinson, Stone, and Mr. Speaker—7.

Those who voted in the negative are,

Messrs. Chambers, Davis, Dimmitt, Holden, Jones of Bartholomew, Litchteberger, Roach, Thompson of Gibson, Williams of Knox, and Wolfe—10.

There being no quorum voting, the question was not determined.
 A message from his Excellency the Governor, by Mr. Sleeth his private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives, that he did on yesterday approve and sign the following bills and joint resolutions:

No. 437. An act to amend an act entitled "An act to repeal an act entitled 'an act to amend the 4th article of the 16th chapter of the Revised Chapter of 1843, so far as the same relates to the county of Washington and Jackson,' approved January 5, 1844, so far as the same relates to the county of Washington;"

No. 153. An act to authorize William Hains to convey certain real estate;

No. 389. A joint resolution in relation to the improvement of the Iroquois and Kankeetee river, in the State of Indiana;

No. 241. An act to amend article 5 of chapter 45 of the Revised Code of 1843;

No. 398. An act to incorporate the Anderson River Bridge Company;

No. 87. An act fixing the time of holding circuit courts in the county of Marion, and for other purposes;

No. 523. An act to authorize the Agent of State to settle with John Burke, for certain house rent;

Mo. 507. A bill for the relief of James Vanbrarican;

No. 403. An act to authorize additional election precincts in Decatur county;

No. 424. An act exempting the property of blind and deaf and dumb persons from taxation;

No. 154. An act to locate part of the State road from Harrison to Indianapolis;

No. 174. An act to legalize the transfer of a certificate for certain school lands in Morgan county, and for other purposes ;

No. 521. An act to revive an entitled "An act to provide for a more uniform mode of doing township business in the several counties therein named, approved February 17, 1838 ;

No. 188. An act to authorize the auditor and school commissioner of Morgan county, to make a deed to William Berry for certain school lands in said county ;

No. 268. An act to incorporate the town of Winchester in Randolph county ;

No. 515. A joint resolution asking the aid of the General Government for the American Colonization Society ;

No. 220. An act to amend an act entitled "An act appointing commissioners to make partition in the real estate of Stephen S. Collitt, late of Vermillion county, deceased," approved January 19, 1846 ;

No. 362. An act to authorize an additional place of holding election in Hamilton township, Jackson county ;

No. 451. An act to authorize A. & A. J. Helton to raise their mill dam ;

No. 275. An act to repeal a certain act therein named, so far as the county of Delaware is concerned ;

No. 177. An act to legalize the assignment of a certificate for certain school land therein named ;

No. 417. An act for the benefit of the Jeffersonville and New Albany Railroad Company ;

No. 56. An act to authorize the people to vote for or against a tax for the support of free schools ;

No. 386. An act to incorporate the Mechanics and Working Mens Institute of Mount Vernon, Posey county ;

No. 472. An act to incorporate the Attica Hydrant Company ;

No. 348. An act to authorize the county commissioners of the several counties in the 12th judicial circuit, to make an allowance to prosecuting attorneys ;

No. 375. An act for the benefit of Michael Riley ;

No. 362. An act to authorize an additional place of holding elections in Hamilton township, Jackson county ;

No. 465. An act to legalize the incorporation of the Mount Hope Cemetery near Peru, and for other purposes ;

No. 379. An act making the side cut constructed by the Delphi Storage and Forwarding Company at Delphi, a part of the Wabash and Erie canal ;

No. 41. An act for the election of township assessors, in the counties therein named ;

No. 404. An act making allowances to adjutant and quarter masters generals, for the year 1847 ;

No. 481. An act making general appropriations for the year 1848 ;

No. 440. An act amendatory of an act to incorporate the town

of Greenfield in Hancock county, approved January 28, 1847 ;

No. 384. An act to incorporate the town of New Columbus in the county of Madison ;

No. 289. An act to regulate the sale of spirituous liquors in the county of Floyd ;

No. 253. An act to amend section 4, article 1, chapter 7 of the Revised Statutes of 1843 ;

No. 508. An act requiring the school commissioner of Marion county to give bond and take oath of office ;

No. 527. An act to amend sections 134 and 137, of chapter 37, of the Revised Statutes ;

No. 182. An act to legalize the assignment of a certificate for certain school land in Morgan county, and for other purposes ;

No. 474. An act for the relief Lucian Barbour, John Elder, and Edwin J. Peck, commissioners appointed by joint resolution of the General Assembly, authorizing and making estimates for the completion of the new State Prison and other buildings, approved January 21, 1847 ;

No. 135. An act to vacate certain streets and alley therein named ;

No. 47. An act to provide for electing supervisors in the county of Miami ;

No. 471. An act to locate a State road in Fountain county ;

No. 430. An act to change the name of Andersontown to that of Anderson ;

No. 477. An act for the relief of Abraham Perkins, late collector of Daviess county ;

No. 431. An act for the relief of Eleanor Leas ;

No. 463. An act to confirm to Mary Williams the sale of a lot in Pittsburgh ;

No. 502. An act to vacate a State road in the counties of Delaware, Madison and Grant ;

No. 473. A bill to incorporate the Grand Lodge of the Oriental Evanic Order of Brethren ;

No. 367. An act to raise a revenue for State purposes, for the year 1848 ;

No. 223. An act to amend an act entitled "An act to provide for the construction of a railroad from Martinsville in Morgan county, to Franklin in Johnson county," approved January 20, 1846 ;

No. 407. An act for the relief of persons who have made improvements on school sections in the Miami Reserve ;

No. 459. An act to incorporate the Peru and Wabash Free Bridge Company ;

No. 491. A joint resolution in relation to certain canal funds ;

No. 505. An act making specific appropriations for the the year 1848 ;

All of which originated in the House of Representatives.
February 17, 1848.

A message from the Senate, by Mr. Berry a Senator :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution :

Resolved, That a committee of two be appointed on the part of the House of Representatives, to wait on his Excellency, the Governor, and inform him that both Houses have gone through with their Legislative business, and are now ready to adjourn *sine die*, if he has no further communication to make to them, and that the House be informed of the adoption of this resolution.

Whereupon the Chair appointed Messrs. Cookerly and Jones of Bartholomew, said committee.

Mr. Cookerly made the following report :

MR. SPEAKER :

The select committee appointed to wait on the Governor, beg leave to inform the House that they have performed said duty, and that the Governor has no further legislative business to communicate to the House.

Mr. Wolfe moved a call of the House ;
 Which was seconded.

Those who were present when the roll was called were Messrs. Blythe, Brown, Bryant, Chambers, Cole, Cookerly, Criswell, Davis, Dimmett, Dobson, Dunham, Ford, Fuller, Gooding, Graham, Hankins, Harding, Harvey, Holden, Hull, Jones of Bartholomew, Lane, Lichteberger, Lockwood, Major, May, McMinzie, Meredith, Mills, Morrison, Norris, Orton, Roache, Robinson, Rulon, Sackett, Short, Shryock, Stone, Sullivan, Thompson of Gibson, Tinbrook, Williams of Knox, Windstanly, Wolfe, and Mr. Speaker—46.

Those who were absent were Messrs. Albin, Armstrong, Blackstone, Bowling, Campbell, Carr, Coble, Coffin, Colip, Commons, Covington, Danner, De Bruler, Dole, Dougherty, Doyle, Frazer, Goodman, Gordon, Hall, Hamilton, Harlan, Hetfield, Huddleston, Hunt, Jones of Switzerland, Keiser, Kennard, Kinney, Line, Little, Lowe, McConnell, McCormick, McDonald of Adams, McDonald of Lake, Miller, Neal, Neff, Nimmons, Orr, Parker, Prather, Richmond, Slater, Smiley, Stanton, Swihart, Terry, Thompson of Carroll, Trimble, Widney, Williams of Madison—54.

Mr. Dobson obtained leave to withdraw from the files a certain bill in relation to building a bridge across White river.

On motion by Mr. Wolfe,

Resolved, That the House has gone through with its legislative business, and is now ready to adjourn *sine die*, and that the Senate be informed thereof.

A message was received from the Senate by Mr. Berry a Senator.

MR. SPEAKER:

The Senate has adopted the following resolution :

Resolved, That the House of Representatives be informed that the Senate have gone through with their legislative business and are now ready to adjourn *sine die*.

Mr. Robinson moved that the House adjourn *sine die*.

Whereupon the speaker arose and said :

GENTLEMEN :—We have now finished the legislative business of the session and are about to separate ; and I hope that we will do so with consciences clear that we have done our duty faithfully to ourselves and to our constituents. Our labors have been somewhat tedious and laborious. We have transacted a large amount of business, and whether that business is for good or for evil to the country, is soon to be submitted to our constituents for their decision, and to the more certain test of experience.

Many measures have been brought here for our consideration, which were calculated to have an important bearing upon the present and future interests of community ; some of them have passed the ordeal and have become laws ; others have been defeated. For our action on all these, we will have to account to our constituents ; and it would be very gratifying to us if we could be assured now, that on a final reckoning, they would say to us, you have been faithful and profitable servants. But be their decision what it will, we must meet it.

But before we separate, it may not be amiss to turn our thoughts for a moment towards ourselves. We have been laboring here together for several weeks, each for the advancement of his favorite measures.

Under such circumstances it is almost impossible that our interests would not sometimes be antagonistical. This state of things may sometimes have excited our feelings. If such has been the case, or if from any cause, any of us have suffered our feelings to be ruffled towards others, I hope that every one before he leaves his Hall, will completely divest himself of that feeling, never

again to resume it, and separate with those kind feelings only which characterize brothers.

Your kindness at the commencement of the session placed me in a responsible situation, and imposed upon me duties which I know I have not always been able properly to discharge. Indeed I can look back over the past, and in my mind's eye see many things that I have done, that with my present experience I could improve. Those errors of mine I hope you will refer to the proper source, my lack of parliamentary experience; and believing that you will do so, I shall leave this Hall with no other regret, than that of not having discharged my duty better. And I shall leave it also with the pleasing reflection, that I have never entertained, nor had cause to entertain towards any one here other than feelings of the most lively friendship, and with the belief that no other than similar feelings have been entertained towards me.

I now pronounce this House adjourned *Sine die*.

M. S. WARD,

Principal Clerk.

ANDREW J. HAY,

Assistant Clerk, House of Representatives.

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BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

690

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other proceedings.</i> | <i>Approved.</i> |
|----------------|---|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 1 | A joint resolution on the subject of newspaper postage, - - - - - | 15 | 15, 40 | 55 | 362 | 532 | 617 |
| 2 | A bill to authorize the Treasurer and Auditor of State to borrow money for certain purposes, - | 24 | 26, 35, 36, 37 | 38 | 92 | | 98 |
| 3 | A bill for the collection of revenue in the county of Lake for the year 1847, - - - - - | 26 | | 26 | 30 | 43 | 46 |
| 4 | A bill to amend an act to establish a State road on the dividing line of Steuben and Dekalb counties, - - - - - | 34 | 43 | 55 | 362 | 532 | 597 |
| 5 | A bill to change the times of holding probate courts in Clarke county, - - - - - | 34 | 43 | 55 | 362 | 532 | 617 |
| 6 | A bill authorizing the sale of certain school lands in Franklin county, - - - - - | 34 | 43 | 55 | 362 | 480 | 596 |
| 7 | A bill to impose additional duties on prosecuting attorneys in the 12th judicial circuit, - - - | 35 | 44, 252, 278, 279, [378 | | | 480 | 596 |
| 8 | A bill to provide for assessing and collecting a road tax in Madison county, - - - - - | 34 | 44 | 55 | 362 | 480 | 596 |
| 9 | A bill granting to the citizens of Rising Sun a city charter, - - - - - | 34 | 44, 50, 93, 155 | 655 | 216 | 251 | 298 |

| | | | | | | | |
|----|---|----|------------|-----|-----|-----|-----|
| 10 | A bill to change the time of holding the probate courts in the county of Davies, - - - | 36 | 44 | 55 | 509 | 380 | 456 |
| 11 | A bill providing for the sale of school lands of Dearborn county, belonging to t. 9 r. 3, in Franklin county, - - - - - | 40 | 56 | 62 | 362 | 480 | 597 |
| 12 | A bill to enable supervisors in Scott county to make their returns on the first Monday of March, &c., - - - - - | 40 | 56, 160 | 242 | 362 | 480 | 596 |
| 13 | A bill to extend the time for final payments on school lands in Miami county, - - - | 41 | 56 | 62 | 362 | 436 | 513 |
| 14 | A joint resolution to postpone the sale of lands in the Miami Reserve, - - - - - | 43 | 56 | 56 | 137 | 138 | 146 |
| 15 | A bill explanatory of an act defining the duties of county treasurers, approved January 13, 1845, - | 43 | 56 | 224 | 363 | 426 | 527 |
| 16 | A bill to amend an act therein named, - - - | 43 | 56, 82, 85 | 103 | | | |
| 17 | A bill explanatory of the meaning of sec. 159, chap. 47, R. S. 1843, - - - - - | 43 | 56, 86 | | | | |
| 18 | A bill to amend section 137, art. 3, chap. 45, R. S. 1843, - - - - - | 43 | 56, 249 | 361 | | | |
| 19 | A bill to repeal an act in relation to horses and jackasses, - - - - - | 45 | 56 | 62 | | 274 | 301 |
| 20 | A bill declaring a misprint in an act to amend the practice in the probate court, &c., - - - | 45 | 87 | 103 | 510 | 562 | 598 |
| 21 | A bill to authorize the Dearborn probate court to make certain orders and decrees, - - - | 47 | 56, 191 | 224 | 510 | 561 | 676 |
| 22 | A bill for the relief of the surplus revenue fund of Decatur county, - - - - - | 51 | | 62 | 362 | 480 | 597 |
| 23 | A bill to locate a State road in the counties of Allen and Dekalb, - - - - - | 51 | 63 | 93 | | 532 | 597 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

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| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other proceedings.</i> | <i>Approved.</i> |
|----------------|---|--------------------|---------------------------------|----------------------|-----------------------|-------------------------------|------------------|
| 24 | A bill to fix the salaries of the trustees of the Wash and Erie Canal, - - - - - | 54 | | | | | 288 |
| 25 | A bill explanatory of an act to secure to Ohio county a share of the common school fund, approved January 6, 1847, - - - - - | 54 | 63 | 93 | 216 | | |
| 26 | A bill to authorize the citizens of Jefferson township, Kosciusko county, to vote at an adjoining poll in their county, - - - - - | 54 | 63, 204, 225, 529 | 529 | 659 | | 670 |
| 27 | A bill to authorize the regulation of lands in Howard county, - - - - - | 54 | 63 | 94 | 520 | 621 | 675 |
| 28 | A bill declaring a certain word in sec. 43, chap. 16, Revised Statutes 1843, a misprint, - - - - - | 54 | 63 | 94 | 519 | 561 | 599 |
| 29 | A bill granting additional compensation to the probate judge of St. Joseph county, - - - - - | 58 | | 58 | 517 | 561 | 590 |
| 30 | A joint resolution in relation to the clothing pay of volunteers in the Mexican war, - - - - - | 61 | | 61 | 510 | 562 | 597 |
| 31 | A bill relative to probate judges in Porter county, - - - - - | 61 | | 89 | 511 | | 597 |
| 32 | A bill to amend the statutes regulating the granting of divorces, - - - - - | 61 | 104, 190 | | | | |

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|----|--|----|--------------------|------|-----|----------|-----|
| 33 | A bill to amend an act to incorporate the College Corner and Liberty Turnpike Company, - - - | 61 | 104 | 154 | 363 | 446 | 453 |
| 34 | A bill to change the mode of electing commissioners in Pike county, - - - | 61 | 104, 269 | 361 | 467 | 446 | 484 |
| 35 | A bill in relation to the road laws, - - - | 61 | 105, 393 | | | | |
| 36 | A bill to dispense with the road tax in Orange county, - - - | 61 | 105 | 154 | 367 | 532 | 598 |
| 37 | A bill to incorporate the Connorsville Hotel Co., - - | 61 | 105 | 154 | 517 | 589, 621 | 677 |
| 38 | A bill to amend sec. 4, chap. 47, R. S. 1843, - - | 61 | 105, 249, 249 | | | | |
| 39 | A bill to amend an act granting to the citizens of Evansville a city charter, &c., - - - | 61 | | 61 | 320 | | 375 |
| 40 | A bill to encourage the growth of Cranberries in Allen county, - - - | 62 | 105 | 154 | 539 | 623 | 673 |
| 41 | A bill for the election of township assessors in Delaware county, - - - | 61 | | 427 | 652 | | 680 |
| 42 | A bill to provide for the selection of petit jurors in the county of Warren, - - - | 62 | 105 | 154 | 363 | 481 | 597 |
| 43 | A bill for the relief of Dorothy Owens and others, - | 62 | 105 | 154 | 511 | 585 | 614 |
| 44 | A bill relative to elections in Jackson county, - | 62 | 105, 246, 277, 300 | 524 | 552 | 591 | 597 |
| 45 | A bill to extend the jurisdiction of justices of the peace in the counties of Lake and Porter, - | 62 | 105 | 154 | 363 | 532 | 617 |
| 46 | A bill to fix the time of holding the probate court in the county of Putnam, - - - | 62 | 106 | 154 | 363 | 532 | 617 |
| 47 | A bill to provide for the election of supervisors by district in Miami county, - - - | 62 | | 93 | 517 | 621 | 681 |
| 48 | A bill to reduce the fees of clerks in probate courts, - | 64 | 106 | [266 | | | |
| 49 | A bill to create the office of attorney general, - | 64 | 106, 190, 225, 234 | | | | |
| 50 | A joint resolution relative to the adjournment of the legislature on account of the small pox, - - | 65 | 69, 77, 78 | 80 | | | |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

694

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|--|----------------------|-----------------------|---------------------------|------------------|
| 51 | A bill to repeal so much of article 4, chapter 37, R. S., 1843, as makes the sheriff of supreme court liable for certain acts, - - - - - | 69 | 82, 94 | 154 | 363 | 481 | 597 |
| 52 | A bill for selecting of jurors in the county of Delaware, - - - - - | 70 | 106 | | | | |
| 53 | A bill, - - - - - | 70 | | | | | |
| 53 | A bill for the relief of executors of the will of Samuel Glass, deceased, &c., - - - - - | 70 | | 89 | 92 | 99 | |
| 54 | A bill for the relief of Collins Adams, of St. Joseph county, - - - - - | 76 | 106 | 154 | 467 | 523 | 596 |
| 57 | A bill to incorporate the Scipio and Brownstown Railroad Company, - - - - - | 82 | 115, 159, 200 | 154 | 517 | 589 | |
| 56 | A bill to provide for the improvement of common schools, - - - - - | | | 452 | 634 | 652, 665 | 680 |
| 58 | A bill to authorize Samuel S. Millikin to build a mill dam across the Salamonina river, - - - - - | 85 | 243, 250, 304, 304 [310, 440, 441, 442 [443, 444 | 86 | 92 | 99 | |
| 59 | A bill to entitle the trustees of school district No. 1 in Elkhart county to raise a tax, - - - - - | 85 | 106 | 154 | 363 | 532 | 617 |
| 60 | A bill to incorporate the Madison and Brownstown Turnpike Company, - - - - - | 85 | 106, 196 | 225 | 509 | 380 | 678 |

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|----|--|----|--|-----|-----|-----|-----|
| 61 | A bill to authorize the trustees of school district No. 5, in St. Joseph county to levy a tax, &c., - | 86 | 106 | 154 | 363 | 426 | 527 |
| 62 | A bill to incorporate the Botanic Medical Society of Decatur county, - - - - - | 88 | 106 | 154 | 363 | 481 | |
| 63 | A bill extending the terms of the probate court of Madison county, - - - - - | 90 | 106, 170 | 225 | 500 | 532 | 597 |
| 64 | A bill to incorporate the Laporte Female Seminary, - - - - - | 90 | 106 | 154 | 363 | 481 | |
| 65 | A bill to allow voters in Morgan county to vote in any township, - - - - - | 90 | 106, 247 | | | | |
| 66 | A bill to abolish the office of school commissioner in Floyd county, - - - - - | 90 | 107 | 154 | 510 | 532 | 597 |
| 67 | A bill to incorporate the Atlica and Warren County Bridge Company, - - - - - | 90 | 107, 196 | 225 | 510 | 426 | 677 |
| 68 | A bill leaving it discretionary with the board of Delaware county, what compensation &c., - - - | 90 | 107 | 154 | 363 | 426 | 527 |
| 69 | A bill to authorize the board of Madison county commissioners to sell real estate, - - - - - | 90 | 107, 155 | | | | |
| 70 | A bill authorizing the Madison and Indianapolis Railroad Company to take stock in other companies, - - - - - | 90 | (107, 169, 277, 289, 292, 200, 407, 450, 471 | | | | |
| 71 | A bill to amend the 22d section of R. S., entitled an act for the relief of the poor, - - - - - | 91 | 107 | 154 | 363 | 426 | 527 |
| 72 | A bill to repeal an act to prevent members from breaking a quorum, - - - - - | 91 | | | | | |
| 73 | A bill to make an appropriation for a specific purpose, - - - - - | 91 | 107 | | | | |
| 74 | A bill regulating special elections, ordered by the Governor, - - - - - | 91 | | 95 | | 532 | 597 |
| 75 | A bill relating to road tax in Perry county, - - - | 91 | 107 | 154 | 363 | 426 | 527 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE--Continued.

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approval.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 76 | A bill to amend an act to authorize the people of Fayette and other counties, to elect the seminary trustees, - - - - - | 91 | 107 | 154 | 403 | 436 | 439 |
| 77 | A bill to amend the estray laws, - - - - - | 91 | 107, 155, 454, 472 | | | | |
| 78 | A bill lopping off the fees of clerk and sheriff of Delaware county, - - - - - | 91 | 92, 108 | | | | |
| 79 | A bill to repeal an act defining the duties of county treasurers in certain cases, - - - - - | 93 | 108, 181 | | | | |
| 80 | A bill for the relief of securities, - - - - - | 93 | 108, 190 | | | | |
| 81 | A bill to regulate agencies of foreign insurance companies, - - - - - | 93 | 108, 190 | 225 | 520 | 621 | 672 |
| 82 | A bill to vacate a part of town of Southport, Owen Co., | 98 | 108, 409 | | | | |
| 83 | A bill for the relief of James Hardin of Warrick Co., | 102 | | 102 | 363 | 426 | 527 |
| 84 | A bill regulating the action of ejectment, - - - - - | 102 | 190 | 225 | | | |
| 85 | A bill to legalize the sale of real estate by Peter Navarre jr., - - - - - | 102 | 163 | 225 | 477 | 479 | 597 |
| 86 | A bill to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into one act, - - - - - | 103 | | 225 | 467 | 560 | 616 |

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|-----|--|-----|---|-----|-----|----------------|-------|----------|
| 87 | A bill fixing the time of holding the circuit courts in Marion county, - - - - - | 103 | 163, 200, 303, 311, 404, 411, 453, 454, 564, 631, 669 | 103 | 137 | 152, 316, 606, | [615] | 679, 654 |
| 88 | A bill to incorporate the Evansville, Vincennes and Terre Haute Railroad Company, - - - - - | 103 | | | | | | |
| 89 | A bill to incorporate the Elkhart, Kosciusko, and Miami Railroad Company, - - - - - | 103 | 231 | 361 | 475 | 563 | | 676 |
| 90 | A bill to incorporate the South Bend Woolen and Cotton Manufacturing Company, - - - - - | 103 | 164 | 225 | 447 | 480 | | 677 |
| 91 | An act concerning the State Library, - - - - - | 103 | 163 | 225 | 447 | 465 | | 696 |
| 92 | A bill fixing jurors' fees in squires' courts in Delaware county, - - - - - | 103 | 163 | 225 | 447 | 465 | | 596 |
| 93 | A bill to amend an act to authorize the people to prohibit the sale of spiritous liquors, - - - - - | 103 | 163 | 225 | 447 | 465 | | |
| 94 | A joint resolution authorizing the Governor to procure a sword for Brigdier General Joseph Lane, - - - - - | 104 | 164 | | | | | |
| 95 | A joint resolution in relation to mileage of members of the General Assembly, - - - - - | | 164, 483 | | | | | |
| 96 | A bill to change the venue in the case of Willis M. Miller, &c., - - - - - | 112 | | 112 | 321 | 532 | | 616 |
| 97 | A bill to incorporate the town of New London, Howard county, - - - - - | 115 | | | | | | |
| 98 | A bill to incorporate the town of Peru, - - - - - | 116 | | 225 | 447 | 465 | | 596 |
| 99 | A bill in regard to bonds of county officers, - - - - - | 117 | | 116 | 354 | 532 | | 598 |
| 100 | A bill to authorize additional election precincts, - - - - - | 117 | 168, 379 | 446 | 614 | 670 | | 672 |
| 101 | A bill to amend an act to change the time of holding courts in the 7th judicial circuit, - - - - - | 117 | 168 | | | | | |
| 102 | A bill to incorporate the Liberty and Brownsville Turnpike Company, - - - - - | 117 | 168, 194 | 225 | 447 | 465 | | 530 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

698

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approval.</i> |
|----------------|---|--------------------|---------------------------------|----------------------|-----------------------|-------------------------------|------------------|
| 103 | A bill in relation to the fees of treasurer of Owen Co., | 117 | 168, 225 | 259 | 403 | 481 | 597 |
| 104 | A bill authorizing administrators to administer oaths, - - - - - | 117 | 169, 251 | 169 | 300 | 312 | 354 |
| 105 | A bill to change the name of Ellen N. Brown, - | 117 | 169 | 226 | 447 | 465 | 596 |
| 106 | A bill lopping off all extra allowance to the clerk and sheriff of Delaware county, - - - | 117 | 168 | 316 | 467 | 475 | 484 |
| 107 | A bill in relation to taking a list of children in Per- ry county, - - - - - | 117 | 169 | | | | |
| 108 | A bill providing for the survey and record of roads, | 117 | 169, 256 | | | | |
| 109 | A joint resolution and vote of thanks to our volun- teers, - - - - - | 119 | 170 | | | | |
| 110 | A bill for the better securing of titles in Spencer and Dubois counties, - - - - - | 119 | 168 | 226 | 447 | 465 | 617 |
| 111 | A bill to authorize the Auditor of State to subscribe for stock in the M. and I. R. Company, - - - | 136 | 137 | 137 | | | |
| 112 | A bill to amend an act regulating the mode of doing township business in Elkhart county, - - - | 142 | 168 | 226 | 447 | 465 | 596 |
| 113 | A bill authorizing the location of a State road in Posey county, - - - - - | 142 | | 142 | 447 | 480 | 527 |

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|-----|--|-----|---------------|-----|-----|-----|----------|
| 114 | A bill to authorize the inspection of hay, &c., - | 143 | 170, 257, 361 | 361 | 467 | 590 | 622 |
| 115 | A bill regulating the salary of the auditor of Putnam county, - - - - - | 148 | 168 | 226 | 448 | 480 | 527 |
| 116 | A bill regulating the clerks' fees in the probate court of Jackson county, - - - - - | 148 | 168 | 226 | 447 | 465 | 595 |
| 117 | A bill relative to the charter of the city of Indianapolis, - - - - - | 148 | 168 | 226 | 447 | 456 | 456 |
| 118 | A bill for the relief of John Burke, - - - - - | 150 | 392 | | | | |
| 119 | A bill to incorporate the Taylor Cotton Mills, - - - - - | 148 | 170, 197 | 226 | 447 | 465 | 675 |
| 120 | A bill to incorporate the Perry Cotton Mills, - - - - - | 148 | 170, 205 | 226 | 447 | 465 | 675 |
| 121 | A bill to incorporate the Cannelton Glass Manufacturing Company, - - - - - | 148 | 170, 194 | 226 | 448 | 465 | 676 |
| 122 | A bill to incorporate the Cannelton Paper Mill, [in Perry county,] - - - - - | 148 | 170, 196 | 226 | 448 | 465 | 676 |
| 123 | A bill to incorporate the Ward Cotton Mill, - - - - - | 148 | 170, 197 | 226 | 448 | 465 | 676 |
| 124 | A bill to incorporate the Indiana Cotton Mill, - - - - - | 148 | 170, 193 | 226 | 448 | 465 | 676 |
| 125 | A bill to incorporate the Cannelton Cotton Mill, - - - - - | 148 | 170, 195 | 226 | 448 | 465 | 676 |
| 126 | A bill to incorporate the Cannelton Foundry, - - - - - | 149 | 170, 194, 226 | 228 | 448 | 465 | 676 |
| 127 | A bill to incorporate the Princetown Female Academy, - - - - - | 149 | 168 | 228 | 505 | 621 | 507, 574 |
| 128 | A bill granting to the citizens of Aurora a city charter, - - - - - | 149 | 170, 195 | 228 | 467 | 585 | 616 |
| 129 | A bill to repeal an act therein named, - - - - - | 149 | 168 | 228 | 505 | 561 | 596 |
| 130 | A bill to legalize the act of the president and trustees of the town of Rising Sun, - - - - - | 149 | 168 | 228 | 448 | 480 | 530 |
| 131 | A bill to change the name of E. B. Twitchel, - - - - - | 149 | 168 | 228 | 448 | 480 | 527 |
| 132 | A bill for the relief of Mary M. Goodrich, - - - - - | 149 | 172 | 228 | 448 | 480 | 507 |
| 133 | A bill to extend the jurisdiction of justices of the peace in the counties of Fulton and Marshall, | 149 | 172 | 228 | | | |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

700

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|---|--------------------|---------------------------------|----------------------|-----------------------|-------------------------------|------------------|
| 134 | A bill to authorize the auditor and school commissioner of Miami county to make a deed, - - | 149 | 172 | 228 | 448 | 480 | 530 |
| 135 | A bill to vacate certain streets and alleys therein named, - - - - - | 149 | 172 | 229 | 661 | 480 | 681 |
| 136 | A bill for the relief of S. & J. Bottorf, - - | 149 | 172, 256 | 363 | 523 | 584 | 613 |
| 137 | A bill to postpone the time of returning lands and lots delinquent in Grant county, - - | 150 | 172 | 150 | 159 | 177 | 176 |
| 138 | A bill to amend section 22d, chapter 10, Revised Statutes of 1843, in relation to county surveyors, - | 149 | 172, 408, 549 | | | | |
| 139 | A bill to amend an act to repeal an act to enable supervisors to open and keep in repair roads, - | 149 | 172 | | 448 | 480 | 527 |
| 140 | A bill to amend section 154, chapter 12, article 10, Revised Statutes of 1843, - - - - - | 149 | 173 | | | | |
| 141 | A bill in relation to the tax duplicate of Jefferson county for the year 1847, - - - - - | 149 | 172 | 229 | 448 | 480 | 527 |
| 142 | A bill to incorporate the Centreville and Abington Turnpike Company, - - - - - | 149 | 172 | 229 | 448 | 480 | 530 |
| 143 | A bill defining the time for presenting complaints to grand juries, &c., - - - - - | 149 | 173, 249 | | | | |

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|-------|--|-----|---------------|-----|-----|
| 144 | A bill fixing the time of holding courts in the third judicial circuit, - - - - - | 157 | 173 | 176 | 176 |
| 145 | A bill for the relief of the tax payers of certain counties therein named, - - - - - | 159 | 182, 183 | 611 | 675 |
| 146 | A bill to incorporate the Indiana Canal Company, and | 160 | 173, 224 | 620 | 599 |
| 147 | A bill to incorporate the Madison, Lexington, and Brownstown Turnpike Company, - - - - - | 161 | 173, 197 | 524 | 676 |
| H 148 | A bill to authorize F. B. Johnson to build a mill dam in Owen county, - - - - - | 161 | 174, 174, 229 | | |
| 149 | A bill for the relief of Charity Forden of the county of Daviess, - - - - - | 163 | 448 | 480 | 527 |
| 150 | A bill to incorporate the Clay Cotton Mill, - - - - - | 170 | 196 | 562 | 676 |
| 151 | A bill changing the time of holding probate court Jefferson, Switzerland, and Ohio counties, - - - - - | 170 | 214 | | 234 |
| 152 | A bill amendatory of an act giving further time for the settlement of the revenue of Delaware county, - - - - - | 184 | | 310 | 311 |
| 153 | A bill for the relief of John Horner, - - - - - | 189 | 280 | 671 | 679 |
| 154 | A bill to relocate a part of a State road from Harrison to Indianapolis, - - - - - | 192 | 280 | 654 | 679 |
| 155 | A bill vacating a certain State road therein named, - - - - - | 192 | 280 | 590 | 599 |
| 156 | A bill to repeal an act providing for the election of supervisors in Decatur, Jefferson, and Spencer counties, - - - - - | 192 | 280 | 621 | 673 |
| 157 | A bill to locate a State road in the county of Posey, - - - - - | 192 | 281 | 480 | 527 |
| 158 | A bill to locate a State road in the counties of White and Carroll, - - - - - | 193 | 281 | 562 | 598 |
| 159 | A bill to incorporate the Madison and Cross Plains Turnpike Company, - - - - - | 194 | 281 | 511 | |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

702

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|---|--------------------|---------------------------------|----------------------|-----------------------|-------------------------------|------------------|
| 160 | A bill to incorporate the German Evangelical Lutheran St. John's Church, in Dearborn county, - | 195 | 281 | 364 | 485 | 562 | 598 |
| 161 | A bill to revise the road laws in the counties of Lake and Porter, - - - - - | 197 | 281 | 364 | 485 | 564 | 617 |
| 162 | A bill to locate a State road in Madison and Hamilton counties, - - - - - | 198 | 281 | 364 | 485 | 562 | 616 |
| 163 | A bill providing for the election of township assessors in Jennings county, - - - - - | 198 | 282, 334 | 335 | 533 | | 597 |
| 164 | A bill to repeal an act therein named, - - - - - | 198 | 281 | 364 | 485 | 563 | |
| 165 | A bill to vacate a part of the town of Hagerstown, in Wayne county, - - - - - | 198 | 281 | 364 | 485 | 563, 667 | |
| 166 | A bill declaring a misprint in section 1st of Local Laws, 1847, of an act in relation to surplus revenue agent of Perry county, - - - - - | 199 | 281 | 364 | 485 | 561 | 599 |
| 167 | A bill to change the name of Melissa Davis, - - - - - | 199 | 281 | 364 | 485 | 590 | 599 |
| 168 | A bill to authorize N. Merser to build a mill dam, &c., - - - - - | 199 | 281 | 364 | | 561 | 599 |
| 169 | A bill to incorporate the Jasper county Iroquois Navigation and Manufacturing Company, - - - - - | 199 | 281 | 343 | 531 | 621 | 672 |

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|-----|--|-----|----------|-----|-----|-----|-----|
| 170 | A bill to locate a State road in the counties of La- | 200 | 251 | 364 | 485 | 563 | 598 |
| 171 | porte and St. Joseph, - - - - - | 201 | 281, 364 | | | | |
| 172 | A bill to require the treasurer of Kosciusko county | 201 | 281 | 365 | 485 | 561 | 599 |
| | to refund certain taxes, - - - - - | 202 | 281 | 363 | 485 | | |
| 173 | A bill to authorize John Webster to build a mill | 202 | 281 | 363 | 485 | 654 | 680 |
| | dam, - - - - - | 202 | 281 | 365 | 485 | 561 | |
| 174 | A bill to repeal an act vacating part of the town of | 202 | 281 | 365 | 485 | 622 | 673 |
| | Milford, Kosciusko county, - - - - - | 203 | 281 | 365 | 485 | 584 | 680 |
| 175 | A bill to legalize the assignment of a certificate for | 203 | 281 | 365 | 485 | 623 | 673 |
| | certain land in Morgan county, - - - - - | 204 | 281 | 366 | 485 | 584 | 617 |
| 176 | A bill to authorize a change in the Strawtown and | 204 | 282 | | | | |
| | Peru State road, &c., - - - - - | 206 | 282 | 366 | | | |
| 177 | A bill in relation to roads in De Kalb county, - | 206 | 282 | | | | |
| | A bill to legalize the assignment of a certificate for | 206 | 282 | | | | |
| 178 | school land therein named, - - - - - | 206 | 282 | | | | |
| | A bill to authorize the sale of certain town lots | 206 | 282 | | | | |
| 179 | therein named, - - - - - | 206 | 282 | | | | |
| | A bill to authorize Peter Wise to build a mill dam, | 206 | 282 | | | | |
| | &c., - - - - - | 206 | 282 | | | | |
| 180 | A bill to repeal part of an act authorizing the State | 206 | 282 | | | | |
| | Bank to lay off, plat, and record certain lots, - | 206 | 282 | | | | |
| 181 | A bill to authorize the auditor and school commis- | 206 | 282 | | | | |
| | sioner of Morgan county to make a deed, &c., - | 206 | 282 | | | | |
| 181 | A bill for the relief of certain purchasers of Semi- | 206 | 282 | | | | |
| | nary lands in Gibson county, - - - - - | 206 | 282 | | | | |
| 182 | A bill to legalize the assignment of a certificate for | 206 | 282 | | | | |
| | school lands in Morgan county, - - - - - | 206 | 282 | | | | |
| 183 | A bill to amend an act to confine voters to their | 206 | 282 | | | | |
| | townships, approved January 13, 1845, - - - | 206 | 282 | | | | |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 184 | A bill to vacate certain enlargements of the town of Evansville, - - - - - | 206 | 283 | 366 | 485 | 585, 665 | |
| 185 | A bill to form a new school district in township 2 north, range 2 east, - - - - - | 207 | 283 | 366 | 485 | 623 | 676 |
| 186 | A bill to legalize the proceedings of the board of commissioners of Boone county, - - - - - | 207 | 283 | 366 | | | |
| 187 | A bill to locate a State road from Bedford <i>via</i> Clear Spring to Columbus, - - - - - | | 283 | 366 | 485 | 586 | 613 |
| 188 | A bill to authorize a deed to be made to Wm. Berry for certain school land in Morgan county, - - - - - | | 283 | 366 | 486 | | 680 |
| 189 | A joint resolution inviting Major General Taylor to visit Indiana, - - - - - | 217 | 284, 366, 369 | 367 | | | |
| 190 | A joint resolution to consolidate the Winnemac and Fort Wayne and Indianapolis land offices, - - - - - | 217 | 289 | 367 | | | 676 |
| 191 | A bill for the purposes therein named, - - - - - | 217 | 289 | 367 | | | |
| 192 | A bill in relation to the pay of grand and petit jurors, - - - - - | 217 | 289 | 367 | 486 | 584 | 616 |
| 193 | A bill to authorize the auditor of Hendricks county to sell certain land, - - - - - | 217 | 289 | 367 | 486 | 622 | 676 |

| | | | | | | | |
|-----|--|-----|---------------|-----|-----|-----|-----|
| 194 | A bill in relation to injunctions and chancery practice, - - - - - | 217 | 289, 377 | | | | |
| 195 | A bill to provide for the construction of a railroad from Martinsville to Point Commerce, - - - | 217 | 289 | 367 | 486 | 585 | 613 |
| 196 | A bill to authorize a company to construct the Aurora and Laughery Turnpike, - - - - - | 217 | 289 | 367 | 486 | 611 | 675 |
| 197 | A bill to authorize a company to construct a turnpike from Mooresville to Aurora, - - - - | 217 | 289 | 367 | 486 | 611 | 675 |
| 198 | A bill in relation to the school funds in the county of Daviess, - - - - - | 217 | 290 | 367 | 486 | 584 | 616 |
| 199 | A bill to regulate the fees and emoluments of officers in Henry county, - - - - - | 217 | 290 | | | | |
| 200 | A bill repealing an act therein named, - - - | 217 | 289 | 367 | 486 | 561 | 598 |
| 201 | A bill to provide for taking the sense of the qualified voters of the State, on calling a convention, - | 217 | 290, 440, 472 | 608 | | | |
| 202 | A bill to confirm a deed to a methodist church in Carlisle, Sullivan county, - - - - - | 218 | 293 | 367 | 486 | 633 | 675 |
| 203 | A bill to repeal the 1st, 2d, 3d, and 4th sections, chap. 73, Revised Statutes of 1838, - - - - - | 218 | 294, 381 | | | | |
| 204 | A bill relative to sureties of justice of the peace, - | 218 | 294, 382 | 382 | | | |
| 205 | A bill to amend an act relative to fugitives from labor, - - - - - | 218 | | | | | |
| 206 | A bill to authorize the sale of lots in the town of Brownstown for delinquent taxes, - - - - | 218 | 294 | 367 | 486 | 586 | 613 |
| 207 | A bill repealing so much of section 233 chap. 30, R. S. 1843, as requires probate courts to set the time for sales &c. - - - - - | 218 | 294 | 435 | 594 | 623 | 674 |
| 208 | A bill to extend the time for holding commissioners court in Boone county, - - - - - | 219 | 294 | 367 | 486 | 622 | 674 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

706

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 209 | A bill for the protection of the rights of married women, - - - - - | 219 | 295 | | | | 597 |
| 210 | A bill to change the name of Bezaleel Thomas, - - - - - | 219 | 294 | 367 | 486 | 562 | 598 |
| 211 | A bill authorizing the board of commissioners of Madison county to do a certain act, - - - - - | 219 | 295, 311 | 346 | 467 | 590 | 674 |
| 212 | A bill authorizing the board of commissioners of Madison county to use certain stone, - - - - - | 219 | 295, 311, 347 | 436 | 594 | 623 | |
| 213 | A bill to amend the 28th chap. R. S. 1843, relative to the acknowledgment of deeds, - - - - - | 219 | 295, 381 | 466 | | | 599 |
| 214 | A bill to provide for the improvement of the town of Williamsport, - - - - - | 219 | 294 | 367 | 486 | 561 | 673 |
| 215 | A bill to revive and amend an act relative to the Covington Draw Bridge company, - - - - - | 219 | 295, 397 | 398 | 551 | 621 | 599 |
| 216 | A bill to authorize the clerk of Sullivan county to sell certain land, - - - - - | 219 | 294 | 367 | 486 | 561 | 439 |
| 217 | A bill abolish the office of school commissioner of St. Joseph county, - - - - - | 219 | 295 | 295 | 403 | 436 | 484 |
| 218 | A bill to amend an act to incorporate the Lawrenceburg and Rushville turnpike company, - - - - - | 219 | 295 | 361 | 467 | 475 | |

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|-----|---|-----|----------|-----|-----|
| 219 | A bill to repeal an act defining the duties of county treasurers, - - - - - | 221 | 523 | 561 | 599 |
| 220 | A bill to amend an act appointing commissioners to make partition of the real estate of Stephen S. Collett, - - - - - | 219 | 295 | 295 | 680 |
| 221 | A bill relative to the probate court of Monroe county | 219 | 295 | 446 | 439 |
| 222 | A bill to authorize the sale of certain lots in Indianapolis, - - - - - | 219 | 295 | 388 | |
| 223 | A bill to amend an act to provide for a railroad from Martinsville to Franklin, - - - - - | 219 | 296 | 523 | 681 |
| 224 | A bill authorizing boards of commissioners to set ten days at their March and June sessions, - | 220 | 295 | 620 | 672 |
| 225 | A bill authorizing county auditors to take acknowledgment of deeds, - - - - - | 220 | 295 | 584 | |
| 226 | A bill in relation to constables, - - - - - | 220 | 295 | 466 | |
| 227 | A bill to extend the time for supervisors to work the roads, - - - - - | 220 | 296, 393 | 623 | 674 |
| 228 | A bill to relieve the several recorders of this State, | 220 | 296, 549 | | |
| 229 | A bill to amend an act in relation to printing delinquent lists, - - - - - | 220 | 296, 463 | | |
| 230 | A bill to authorize county auditors to make set offs in certain cases, - - - - - | 220 | 296 | 622 | 675 |
| 231 | A bill to enable the auditor of St. Joseph county to make a deed, - - - - - | 220 | 295 | 584 | 617 |
| 232 | A bill declaring the meaning of an act incorporating Michigan City, - - - - - | 220 | 295 | 583 | 617 |
| 233 | A bill in relation to the collection of road receipts, | 220 | 296, 394 | | |
| 234 | A bill to require the trustees of the Indiana University, to report to the General Assembly, - - | 220 | 296, 461 | 585 | 614 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 235 | A bill to authorize Sarah Shannon to convey certain real estate, - - - - - | 220 | 297 | 368 | 486 | 561 | 599 |
| 236 | A bill amendatory of the laws in relation to decedents estates, - - - - - | 220 | 297, 368 | 436 | | | |
| 237 | A bill to legalize the vacation of certain lots in South Bend, - - - - - | 220 | 297 | 368 | 486 | 561 | |
| 238 | A bill to legalize the acts of Michael Sheel, a justice of the peace of Hamilton county, - - - - - | 220 | 298 | 368 | 486 | 561 | 599 |
| 239 | A bill repealing sections 16 and 17, chap. 10, R. S. 1843, - - - - - | 220 | 296 | | | | |
| 240 | A bill in relation to road tax in Howard county, - - - - - | 220 | 298 | 268 | 487 | 561 | 599 |
| 241 | A bill to amend article 45, R. S. 1843, - - - - - | 220 | 296, 385, 466 | 466 | 659 | | 679 |
| 242 | A bill to authorize John Seerest to build a mill dam, - - - - - | 221 | | 221 | 448 | 480 | 527 |
| 243 | A bill authorizing the sheriff of Dearborn county to use the jail at Wilmington, - - - - - | 221 | 298 | 368 | 487 | 563 | 599 |
| 244 | A bill to incorporate the Madison Hotel company, - - - - - | 221 | | 221 | 448 | 465 | 672 |
| 245 | A bill for the relief of Joseph R. Pratt, - - - - - | 222 | 390 | 403 | | 584 | 675 |
| 246 | A bill reducing the fee for recording deeds in Delaware county, - - - - - | 221 | 298 | 368 | 487 | 563 | 598 |

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|-----|---|-----|---------------|-----|-----|----------|-----|
| 247 | A bill to revive an act to incorporate the town of Muncie, - - - - - | 221 | 298 | 368 | 487 | 562 | 598 |
| 248 | A bill authorizing the county auditors to make deeds | 221 | 298 | | | 562 | 592 |
| 249 | A bill to organize and regulate the militia of the State of Indiana, - - - - - | 223 | 297, 305, 308 | 309 | | | |
| 250 | A bill relative to sales on execution of property fraudulently conveyed, - - - - - | 221 | 297 | | | | |
| 251 | A bill to reappraise Wabash and Erie canal lands, | 221 | 297 | 395 | | | |
| 252 | A bill to amend an act in relation to the burnt records of Miami county, - - - - - | 221 | 298 | 368 | 487 | 562 | 598 |
| 253 | A bill to amend sec. 4, article 1, chap. 7, R. S. 1843, | 221 | 298 | 368 | 614 | | 681 |
| 254 | A bill authorizing the probate court of Marion county to make certain deeds, - - - - - | 221 | 298 | 368 | 487 | 562 | 598 |
| 255 | A bill to vacate a part of the Indianapolis and Centreville State road, - - - - - | 221 | 298 | 368 | 487 | 562 | 598 |
| 256 | A bill for the relief of Robert Brown and others, | 222 | 298 | 368 | | | |
| 257 | A bill incorporating the celebration steam mill company, - - - - - | 222 | 298 | 368 | 532 | 622 | 673 |
| 258 | A bill for the relief of Sarah E. Edwards, - - - | 222 | | | | | |
| 259 | A bill to locate a State road in the counties of Franklin and Ripley, - - - - - | 223 | 298 | 368 | 487 | 563 | 599 |
| 260 | A bill authorizing the auditor of Franklin county to sell certain school land - - - - - | 223 | 298 | 369 | 487 | 562 | 599 |
| 261 | A bill providing for the reappraisement of real estate in certain cases, - - - - - | 223 | 299, 384 | | | | |
| 262 | A bill to vacate a street in Byron, Laporte county, | 223 | 298 | 369 | 487 | 561, 667 | |
| 263 | A bill to amend the charter of the Indiana Medical College, - - - - - | 223 | 298 | 369 | 487 | 622 | 673 |
| 264 | A bill declaring Scott Noel a justice of the peace, | 223 | | 223 | 448 | 465 | 596 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

710

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 265 | A bill in relation to a State road in Daviess county, | 224 | | 224 | 448 | 465 | 595 |
| 266 | A bill to authorize Elizabeth Wright to dispose of certain real estate, - - - - - | 223 | 239 | | | | |
| 267 | A bill to change the name of Charlotte Leggett Fox DuBois, - - - - - | 223 | 298 | 369 | 487 | 585 | 613 |
| 268 | A bill to incorporate the town of Winchester, - - - | 229 | 298, 315 | 315 | 614 | 654 | 680 |
| 269 | A bill to vacate the town of Georgetown, in Adams county, - - - - - | 230 | 298 | 369 | 487 | 584, 665 | |
| 270 | A joint resolution on the subject of mileage, - - - | | 298 | 369 | | | |
| 271 | A joint resolution relative to the claim of Col. Francis Vigo, - - - - - | 231 | | 231 | 240 | 268 | 280 |
| 272 | A bill to amend the execution laws, - - - - - | 251 | 299, 300, 302 | | | | |
| 273 | A bill to provide for a county library in the county of Pulaski, - - - - - | 251 | 301 | | | | |
| 274 | A bill to amend an act in relation to the service of subpoenas in Chancery, - - - - - | 252 | 301 | 301 | 448 | 465 | 596 |
| 275 | A bill to repeal an act therein named, - - - - - | 257 | 301 | 369 | 655 | | 680 |
| 276 | A bill to amend the 5th and 6th sections of 1st article, chapter 55, Revised Statutes of 1843, - - - | 258 | 202, 464 | 609 | | | |

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|-----|---|-----|----------|-----|-----|-----|------------|
| 277 | A bill to authorize the alteration of a certain road therein named, - - - - - | 258 | 312 | 312 | 493 | 426 | 527 |
| 278 | A bill to improve the roads in the county of Switzerland, - - - - - | 259 | 312 | 312 | 403 | 481 | 596 |
| 279 | A bill to authorize John G. Johnson to correct a mistake in a certain deed, - - - - - | 259 | 312 | 312 | 403 | 436 | 596 |
| 280 | A bill to change a State road in Jackson county, - - - - - | 260 | 312 | 312 | 403 | 481 | 596 |
| 281 | A bill to change certain State road therein named in Jackson county, - - - - - | 260 | 312 | 312 | 403 | 436 | 440 |
| 282 | A bill to locate a State road therein named, - - - - - | 260 | 312 | 312 | 403 | 446 | 481 |
| 283 | A bill to incorporate the Council Grove Minute Men, - - - - - | 260 | 312 | 313 | 403 | 446 | 513 |
| 284 | A joint resolution of thanks to Capt. John S. Simonson and Capt. Lemuel Ford, - - - - - | 261 | | 262 | 511 | 563 | 600 |
| 285 | A bill repealing the law in certain counties authorizing the clerk to receive pay for extra services, - - - - - | 263 | 313, 454 | 474 | | | |
| 286 | A bill to locate a State road in the counties of Clay and Owen, - - - - - | 263 | | 313 | 403 | 436 | 440 |
| 287 | A bill to amend article 11, chapter 30, Revised Statutes of 1843, - - - - - | 263 | 313, 573 | 609 | | | |
| 288 | A bill to locate a State road in the counties of Allen and Wells, - - - - - | 263 | | 313 | 403 | 446 | 484 |
| 289 | A bill to regulate the sale of spirituous liquors in the county of Floyd, - - - - - | 264 | 313, 344 | 369 | 656 | 672 | 681 |
| 290 | A bill incorporating the Harrison, New Trenton, and Brookville Turnpike Company, - - - - - | 264 | | 347 | 467 | 562 | |
| 291 | A bill to sell school land in township 32 north, range 10 west, - - - - - | 266 | | 347 | 551 | 622 | 599 |
| 292 | A bill to relocate a part of the Richmond and Logansport State road, in Delaware county, - - - - - | 266 | | 347 | 467 | 562 | 674 599 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

712

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|---------------------------------|----------------------|-----------------------|-------------------------------|------------------|
| 293 | A bill to locate a State road therein named, - | 266 | | 347 | 467 | 563 | 617 |
| 294 | A bill to locate a State road in Allen and De Kalb counties, - - - - - | 266 | | 347 | 467 | 590 | 599 |
| 295 | A bill regulating the sale of spirituous liquors in Centreville, Wayne county, - - - - - | 268 | | 347 | 467 | 590 | 599 |
| 296 | A bill to authorize the board of commissioners to lease the Seminary of Wayne county, - - - - - | 268 | | 347 | 467 | 590 | 598 |
| 297 | A bill to incorporate the town of Clinton, in Vermilion county, - - - - - | 268 | | 347 | 467 | 590 | 598 |
| 298 | A joint resolution of sympathy with Pope Pius the 9th, - - - - - | 274 | 347 | 348 | 467 | 523 | 597 |
| 299 | A joint resolution in relation to the Indiana Historical Society, - - - - - | 274 | 348 | | | | |
| 300 | A bill to repeal an act giving to the voters of Marion county a right to decide the liquor question, - - - - - | 274 | 348 | | | | |
| 301 | A bill to incorporate the Cambridge and Milton Turnpike Company, - - - - - | 274 | | 348 | 467 | 564 | |
| 302 | A bill relative to the State Library, - - - - - | 274 | 348, 349, 350 | 351 | | | |
| 303 | A bill to repeal part of an act to change the time of holding probate court in Ripley county, - - - - - | 275 | 351, 426 | 427 | 551 | 622 | 674 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE--Continued.

714

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|---|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 322 | A bill to authorize the board of commissioners of Du-bois county to levy or dispense with a road tax, | 276 | | 352 | 468 | 590 | 598 |
| 323 | A bill giving associate and probate judges jurisdiction in certain cases, | 276 | 353, 573 | | | | |
| 324 | A bill in relation to the sale of Saline lands, | 276 | 354, 572 | 628 | 661 | 655 | 677 |
| 325 | A bill for the relief of Lyria Aldrich, | 276 | | 353 | 468 | 590 | 598 |
| 326 | A bill to amend the 76th section, chapter 15, article 3, Revised Statutes of 1843, | 276 | | 353 | 468 | 590 | 598 |
| 327 | A bill authorizing Samuel Miles to take a change of venue, | 276 | 353 | | | | |
| 328 | A bill relative to the duties of justices of the peace, | 276 | 353, 575, 609 | 626 | | | |
| 329 | A bill for the relief of purchasers of school lands in Carroll and Clinton counties, | 276 | | 353 | 468 | 590 | 598 |
| 330 | A bill to amend 73d section, chapter 7, Revised Statutes of 1843, | 276 | 383, 353 | | | | |
| 331 | A bill to authorize county surveyors to administer oaths, &c., | 276 | 386, 353, 408, 549 | | | | |
| 332 | A bill to provide for the survey and record of roads in Elkhart county, | 276 | | 353 | 468 | 590 | 598 |

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|-----|---|-----|--------------------|-----|-----|-----|
| 333 | A bill to authorize the sale of the Library of Decatur county, - - - - - | 276 | 355 | 468 | 590 | 598 |
| 334 | A bill to continue in force a certain act therein named, - - - - - | 276 | 355 | | | |
| 335 | A bill to extend the provisions of an act to Jay and Blackford counties, - - - - - | 276 | 355 | 468 | 523 | 596 |
| 336 | A bill to amend chapter 8 and 28 of the Revised Statutes of 1843, - - - - - | 276 | | | | |
| 337 | A bill authorizing Mahala Proffit to do certain acts, &c., - - - - - | 277 | 277 | 305 | 310 | 316 |
| 338 | A bill to change the time for inspectors of election to make their returns, - - - - - | 277 | 375 | | | |
| 339 | A bill to repeal the 4th section chapter 47, Revised Statutes of 1833, so far as relates to Elkhart county, - - - - - | 276 | 355 | 487 | 586 | 613 |
| 340 | A bill declaring Geogre W. Bowen successor in office to William Delority, - - - - - | 277 | 355 | 468 | 524 | 595 |
| 341 | A bill to strike out part of the second section, chapter 63, Revised Statutes 1843, - - - - - | 277 | 355 | | | |
| 342 | A bill to amend the act relative to the salaries of certain officers, &c., - - - - - | 277 | 355 | | | |
| 343 | A bill for the benefit of the institution for the education of the blind, - - - - - | 292 | 319 | | | |
| 344 | A bill for the speedy completion of the Indiana Hospital for the Insane, - - - - - | 293 | 376, 379 | 468 | 524 | 596 |
| 345 | A bill to provide for the erection of an Institution for the Deaf and Dumb, - - - - - | 293 | | | | |
| 346 | A bill to change the mode of doing probate business, - - - - - | 296 | 450, 456, 458, 459 | 483 | | |
| 347 | A bill to vacate an alley in Cambridge City, - - - - - | 302 | 303 | 403 | 426 | |
| 348 | A bill to impose additional duties on the prosecuting attorneys in the 12th circuit, - - - - - | 303 | 355, 379 | 379 | 659 | 680 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

716

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other proceedings.</i> | <i>Approved.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 349 | A bill to change a part of the Ft. Wayne and Indianapolis State road, &c., - - - - | 315 | | 315 | 592 | 619 | |
| 350 | A bill forming sections 4, 5, 6, 7, 8, 9, 16, 18, and 19, in township 14, range 6 east, into a district, - - | 323 | | 323 | 468 | 523 | 596 |
| 351 | A bill to encourage the organization of fire companies, - - - - - | 323 | | 323 | 592 | 620 | 673 |
| 352 | A bill to incorporate the Lafayette, Monticello, and Michigan City Railroad Company, - - - | 323 | | 323 | 468 | 523 | 676 |
| 353 | A bill to incorporate the Booneville and Ohio River road Company, - - - - - | 323 | 354, 419 | 419 | 553 | 584 | 675 |
| 354 | A bill to change the name of William Jackson, - | 324 | | 324 | 592 | 619 | 675 |
| 355 | A bill authorizing the sale of school lands in Elkhart county, - - - - - | 324 | | 324 | 592 | 620 | 674 |
| 356 | A joint resolution relative to the Indiana Historical Society, - - - - - | 327 | | 327 | 468 | 523 | 596 |
| 357 | A joint resolution on the subject of laws of Indiana Territory, - - - - - | 327 | | 328 | 468 | 524 | 596 |
| 358 | A bill to provide for the payment of certain money to Justus C. Alvord, &c., - - - | 345 | 374 | 374 | 452 | 456 | 538 |

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|-----|--|-----|----------|-----|-----|-----|-----|
| 359 | A bill to establish an additional place of holding elections in Vermillion county, - - - | 346 | | 346 | 468 | 524 | 596 |
| 360 | A bill to repeal the latter clause of the 6th section of an act relative to the central canal, - - - | 346 | | | 475 | | |
| 361 | A bill to authorize Libbus Frisbie to build a bridge across Blue river, - - - | 346 | | | 346 | 468 | 599 |
| 362 | A bill authorizing an additional place of holding elections in Jackson county, - - - | 346 | | | 610 | | 680 |
| 362 | A joint resolution demanding justice to our brave volunteers, - - - | 369 | 481 | | | | |
| 363 | A bill authorizing the auditor of Vigo county to sell certain lands, - - - | 374 | 418, 544 | | | | |
| 364 | A bill to authorize John S. Woodard to convey certain land, - - - | 374 | | | 374 | 487 | 614 |
| 365 | A bill to provide for refunding payments to purchasers at tax sales, - - - | 376 | | | 374 | 487 | 622 |
| 366 | A bill to vacate the town of Florentine in Tippecanoe county, - - - | 374 | | | 482 | 589 | |
| 367 | A bill providing for raising State revenue for the year 1848, - - - | 376 | 501 | | 374 | | |
| 368 | A bill for the relief infant heirs and devisees, - - | 378 | | | 501 | 551 | 681 |
| 369 | A bill in relation to deeds made by clerks acting as auditors, - - - | 382 | | | | | |
| 370 | A bill for the benefit of widows, - - - | 384 | | | 382 | | |
| 371 | A bill for the relief of Silas Overman of Grant co., - | 385 | | | 384 | 568 | 673 |
| 372 | A bill to authorize the construction of lines of Morse's Telegraph in this State, - - - | 386 | 416 | | 385 | 468 | 484 |
| 373 | A bill to amend an act incorporating the Cambridge City and Muncietown Turnpike Company, - | 387 | | | 417 | 552 | 563 |
| | | | | | 387 | 615 | 677 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

718

| Number. | TITLE. | Introduced. | Proceedings thereon. | Passed House. | Passed Senate. | Other proceedings. | Approved. |
|---------|---|-------------|----------------------|---------------|----------------|--------------------|-----------|
| 374 | A bill relative to high waters in Jackson county, - | 387 | | 387 | 593 | 620 | 674 |
| 375 | A bill for the benefit of Michael Riley, - - - | 387 | | 387 | 614 | 618 | 680 |
| 376 | A bill authorizing the clerk of the probate court to issue certain writs, - - - - - | 387 | 463 | | | | |
| 377 | A bill to revise and consolidate the road laws, - | 392 | 484, 625 | 628 | | | |
| 378 | A bill to establish a State road on the line between Wayne and Randolph counties, - - - - | 394 | | 394 | 593 | 620 | 675 |
| 379 | A bill making the side cut at Delphi a part of the Wabash and Erie Canal, - - - - - | 394 | | 395 | 593 | 619 | 680 |
| 380 | A bill for the preservation of sheep, - - - - | 395 | 396 | | | | |
| 381 | A bill to incorporate the town of Washington, Wayne county, Indiana, - - - - - | 397 | | 397 | 593 | 620 | 675 |
| 382 | A bill to incorporate a church in Dearborn county, - | 398 | | 398 | 593 | 619 | 673 |
| 383 | A bill to incorporate the town of Eagleville, Boone county, - - - - - | 404 | | 404 | 593 | 620 | 672 |
| 384 | A bill to incorporate the town of New Columbus, Madison county, - - - - - | 404 | | 404 | 593 | 653 | 681 |
| 385 | A bill to better enable the citizens of congressional township 29, range 5 east, to sell school land, - | 405 | | 405 | 594 | 623 | 674 |

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|-----|---|-----|----------|-----|-----|-----|
| 386 | A bill to incorporate the Mechanics' and Working Men's Institute of Mount Vernon, Posey county, - | 406 | 661 | 406 | 661 | 680 |
| 387 | A bill in relation to the improvement of the Iroquois river, - | 409 | 664 | 409 | 664 | 670 |
| 388 | A bill to establish a ferry across the Wabash river at Williamsport, - | 409 | 623 | 409 | 551 | 674 |
| 389 | A bill granting a divorce to Samuel Widney from his wife, Jane, - | 410 | 410 | | | |
| 390 | A bill to vacate a part of New Lawrenceburgh, Dearborn county, - | 410 | | 410 | 551 | 653 |
| 391 | A bill to authorize Avery Allen to make a deed, - | 411 | | 411 | 594 | 620 |
| 392 | A bill to locate a State road in Clay county, - | 411 | | 411 | 551 | 622 |
| 393 | A bill relative to the election of Representatives from Orange and Crawford, - | 412 | 564, 628 | | | |
| 394 | A bill concerning a State road in Hancock county, - | 413 | | 413 | 551 | 620 |
| 395 | A bill to repeal an act fixing the salary of the auditor of Miami county, - | 413 | | 413 | 551 | 622 |
| 396 | A bill to vacate a portion of certain street therein named, - | 415 | | 415 | 551 | 620 |
| 397 | A bill to vacate a part of Union street in the town of Decatur, Adams county, - | 415 | | 415 | 551 | 623 |
| 398 | A bill to incorporate the Anderson River Bridge Company, - | 416 | | 416 | 551 | 653 |
| 399 | A bill to locate a State road in the counties of Fulton Marshall, Pulaski, and Stark, - | 416 | | 416 | 551 | 654 |
| 400 | A bill to locate a State road in the county of Miami, - | 419 | | 419 | 551 | 671 |
| 401 | A bill declaring certain lots in Greencastle to be without said town, - | 420 | | 420 | 551 | 617 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

720

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approval.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 402 | A bill to prevent the retailing of spirituous liquors in the town of Allisonville, - - - - - | 420 | | 420 | | | 679 |
| 403 | A bill to authorize additional election precincts in De- catur county, - - - - - | 420 | | 420 | 551 | 654 | |
| 404 | A bill making allowance to the adjutant and quarter master generals, - - - - - | 421 | 446 | 422 | 651 | 680 | |
| 405 | A bill to repeal part of an act so far as relates to Mi- ami county, - - - - - | 428 | | 428 | 551 | 671 | 676 |
| 406 | A bill to amend article 3, chapter 31, Revised Sta- tutes of 1843, - - - - - | 428 | 629 | | | | |
| 407 | A bill for the relief of persons in the Miami Reserve, A bill levying a tax in the town of Marion, - - - | 428 | | 428 | 551 | 584 | 681 |
| 408 | A bill to amend the act in relation to retailing liquor, A bill to amend an act to reduce the salaries of the Governor and State officers, - - - - - | 429 | | 429 | 594 | 621 | 676 |
| 409 | A bill authorizing supervisors to work a certain road in Ohio county, - - - - - | 429 | 429 | | | | |
| 410 | A bill to improve the breed of horses in Miami coun- ty, - - - - - | 430 | | 430 | 594 | 623 | 673 |
| 411 | | 430 | | 430 | 594 | 620 | 673 |

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|-----|---|-----|-----|-----|-----|-----|
| 413 | A bill to compensate Win. Robinson of Franklin county, for certain services, - - - | | | 594 | 621 | |
| 414 | A joint resolution in relation to the territories of New Mexico and California, - - - | 432 | 629 | | | |
| 415 | A joint resolution relative to volunteers who have settled on lands in the Miami Reserve, - - | 432 | | 432 | 594 | 585 |
| 416 | A bill to vacate certain streets in New Carlisle, St. Joseph county, - - - | 432 | | 432 | 551 | 654 |
| 417 | A bill for the benefit of the Jeffersonville and New Albany Railroad Company, - - - | 432 | | 432 | 652 | 680 |
| 418 | A bill making an additional allowance to the Secretary of State, - - - | 432 | | 432 | 593 | 621 |
| 419 | A bill to extend the February term of the Probate court of Washington county, - - - | 432 | | 432 | 595 | 584 |
| 420 | A bill to repeal an act to provide for a uniform mode of doing township business in Clay county, - - | 432 | | 432 | 594 | 623 |
| 421 | A bill to incorporate the Clinton Iron Manufacturing Company, - - - | 433 | | 433 | 595 | 621 |
| 422 | A bill in relation to a portion of the northern division of the Central Canal, - - - | 433 | | 503 | 616 | 618 |
| 423 | A bill to amend an act relative to bridges on the New Albany and Vincennes road, - - - | 433 | | | | |
| 424 | A bill to exempt the property of blind, deaf and dumb person from taxation, - - - | 433 | 460 | 461 | 615 | 654 |
| 425 | A bill amendatory of an act establishing a free turnpike road in Allen, Wells, Whitley, and Kosciusko Co's. | 433 | | 433 | 594 | 612 |
| 426 | A bill for the incorporation of the York Guards, - - | 433 | | 433 | 594 | 623 |
| 427 | A bill for the relief of William A. Richardson and others, - - - | 433 | | 433 | 594 | 620 |
| | | | | | | 679 |
| | | | | | | 675 |
| | | | | | | 672 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

722

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approval.</i> |
|----------------|--|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 428 | A bill to amend the 176th section, 13th chapter Revised Statutes of 1843; - - - | 434 | 466 | 461 | 593 | 620 | 681 |
| 429 | A bill declaring certain acts therein named in force, A bill changing the name of Andersonstown, - - - | 433 | | 433 | 594 | 621 | 681 |
| 430 | A bill for the relief of Eleanor Leas, - - - | 433 | | 433 | 594 | 623 | |
| 431 | A bill to vacate an alley in the town of Greencastle, - - - | 433 | | 433 | 594 | 622 | |
| 432 | A bill for the government of the Indiana Hospital for the insane, - - - | 434 | 455 | 455 | 589 | 619 | 674 |
| 433 | A bill regulating the width of county roads in Marion county, - - - | 433 | | 433 | 593 | 620 | 673 |
| 434 | A bill to repeal section 88, chapter 13, Revised Statutes of 1843, - - - | 433 | 572 | 610 | | | |
| 435 | A bill changing the name of the town of Alton, Crawford county, - - - | 433 | | 433 | 594 | 621 | 675 |
| 436 | A bill to amend an act relative to Washington and Jackson counties, &c., - - - | 434 | | 434 | 594 | 671 | 679 |
| 437 | A bill relative to mileage of members, &c., - - - | 434 | 629 | 434 | 594 | | |
| 438 | A bill to confer the authority on the circuit courts, to change names, &c., - - - | 434 | 603, 611 | 434 | 594 | | |

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|-----|---|-----|-----|-----|-----|
| 440 | A bill amendatory of an act to incorporate the town of Greenfield, - - - - - | 437 | 660 | 437 | 660 |
| 441 | A joint resolution in relation to a mail route from Belleville to Lebanon, - - - - - | 435 | 595 | 436 | 621 |
| 442 | A bill to repeal part of an act relative to the Buffalo and Mississippi Railroad company, - - - - - | 438 | | | |
| 443 | A bill to repeal the certiorari law in Delaware county, - - - - - | 438 | | | |
| 444 | A bill in relation to the courts in the 12th judicial circuit, - - - - - | 437 | 615 | 437 | |
| 445 | A bill authorizing the State Librarian to record the names of volunteer from this State, - - - - - | 437 | 595 | 437 | 614 |
| 446 | A bill to amend section 35, article 2, chapter 25, Revised Statutes of 1843, - - - - - | 437 | 595 | 437 | 675 |
| 447 | A bill to amend an act for electing prosecuting attorneys in several the counties, - - - - - | 438 | | 438 | |
| 448 | A bill for a mail route from Brownstown to Nashville, - - - - - | 445 | 595 | 445 | 674 |
| 449 | A bill making provision for the payment of certain witnesses, - - - - - | 448 | | 448 | 673 |
| 450 | A bill amendatory of the charter of the city of Indianapolis, - - - - - | 449 | | 449 | 674 |
| 451 | A bill to authorize A. & A. J. Helton to raise their mill dam, - - - - - | 449 | 611 | 611 | 680 |
| 452 | A bill to amend the 4th section, article 1st, chapter 6, Revised Statutes 1843; - - - - - | 449 | | 449 | |
| 453 | A bill to revive an act authorizing the building of a bridge across the Kankakee, - - - - - | 449 | 468 | 449 | 523 |
| 454 | A bill to incorporate the College Corner and Cambridge City Railroad Company, - - - - - | 449 | | 449 | |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approval.</i> |
|----------------|---|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 455 | A bill to legalize a certain act of the board of commissioners of Madison county, - - - | 449 | | 449 | 523 | 561 | 600 |
| 456 | A bill to amend an act to provide for the election of prosecuting attorneys, - - - | 449 | | 449 | 487 | 586 | 613 |
| 457 | A bill giving further time to settle the estate of David Browning, deceased, - - - | 449 | | 449 | 593 | 620 | 673 |
| 458 | A bill providing for free homesteads, - - - | 449 | 629 | | | | |
| 459 | A bill to incorporate the Peru and Wabash Free Bridge Company, - - - | 449 | | 449 | 593 | 619, 671 | 681 |
| 460 | A bill to authorize certain voters in Davies county to vote in Washington township, - - - | 449 | | 449 | 487 | 622 | 674 |
| 461 | A bill to incorporate the Henry county Turnpike Co., - - - | 450 | | 450 | 593 | 620 | |
| 462 | A bill attaching Crawford county to the 2d judicial circuit, - - - | 450 | | | | | |
| 463 | A bill to confirm to Mary Williams the sale of a lot in Pittsburg, - - - | 450 | | 450 | 493 | 619 | 681 |
| 464 | A bill to compel merchants to pay an additional tax, - - - | 450 | | | | | |
| 465 | A bill to legalize the incorporation of the Mount Hope Cemetery, near Peru, - - - | 450 | | 450 | 593 | 618 | 680 |

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| 466 | A bill amendatory of an act therein named, - | 451 | 629 | | | | |
| 467 | A bill to amend sec. 165, chap. 22, R. S., 1843, - | 452 | 926 | | | | |
| 468 | A bill extending the provisions of an act therein named to the county of Wells, - | 455 | | | | | |
| 469 | A joint resolution in relation to the Education Society | 462 | | 455 | 593 | 619 | 674 |
| 470 | A bill to legalize the sale of certain land, - | 462 | | 462 | 593 | 619 | 677 |
| 471 | A bill to locate a State road in Fountain county, | 463 | | 463 | 593 | 619 | 681 |
| 472 | A bill to incorporate the Attica Hydrant company, | 476 | 601 | 601 | 615 | | 680 |
| 473 | A bill to incorporate the Grand Lodge of the Oriental Evanic Order of Brethren, - | 476 | 629 | 631 | 618 | 618 | 681 |
| 474 | A bill for the relief of L. Barbour, John Elder, and E. J. Peck, - | 478 | | 478 | 614 | 618 | 681 |
| 475 | A bill to vacate a certain road in Daviess county, | 478 | 587 | | | | |
| 476 | A bill to amend an act granting the citizens of Lawrenceburg a city charter, - | 478 | | 479 | 593 | 619 | 674 |
| 477 | A bill for the relief of Abraham Perkins, - | 479 | | 479 | 591 | 620 | 681 |
| 478 | A bill to amend an act to lease the Indiana State Prison, - | 479 | 630 | | | | 672 |
| 479 | A bill for the relief of J. C. Alvord and Homer King, | 502 | | 502 | 528 | 560 | |
| 480 | A bill for the relief of certain persons therein named, | 503 | | 504 | 591 | 620 | |
| 481 | A bill making general appropriations for the year 1848 | 504 | | 608 | 660 | | 680 |
| 482 | A bill to authorize the commissioners of Vigo county to procure a seal for the probate court, - | 504 | | 504 | 595 | 621 | 673 |
| 483 | A bill to revive an act for the location of a State road in the counties of Dubois and Martin, - | 517 | | 517 | 594 | 621 | 673 |
| 484 | A bill to incorporate the Fairfield Hydraulic company, - | 517 | | 517 | | | |
| 485 | A bill to repeal a part of section 90, article 3, chap. 16, R. S. 1843, - | 517 | | 517 | 595 | 620 | 676 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

726

| Number. | TITLE. | Introduced. | Proceedings thereon. | Passed House. | Passed Senate. | Other proceedings. | Approved. |
|---------|---|-------------|----------------------|---------------|----------------|--------------------|-----------|
| 486 | A bill to locate a State road in the counties of Clay and Parke. | 517 | | 517 | 595 | 622 | 673 |
| 487 | A joint resolution to remove the canal land office from Logansport to Peru. | 526 | 630 | | | | |
| 488 | A bill regulating the fees and salaries of officers &c., | 526 | | | | | |
| 489 | A bill relative to elections in Morgan county, | 529 | | 529 | | | |
| 490 | A bill to change a State road in Delaware county, | 535 | | 535 | 591 | 621 | 672 |
| 491 | A joint resolution in relation to certain canal funds, | 543 | | 543 | 591 | 585 | 681 |
| 492 | A joint resolution of thanks to Elhanan Moberly, | 543 | | 543 | 591 | 620 | 675 |
| 493 | A joint resolution accepting the colors of the 3d Indiana regiment, | | | | | | |
| 494 | A bill amendatory of the laws relating to the practice in chancery, | 543 | | 543 | 591 | 622 | 673 |
| 497 | A bill making the education of the blind free, | 545 | | 631 | 656 | | |
| 496 | A bill making the education of the deaf and dumb free, | 547 | | 548 | 595 | 622 | |
| 497 | A bill to authorize the building of a levee in Vigo county, | 548 | | 548 | 595 | 621 | |
| 498 | A bill to change the location of a State road, | 548 | | 548 | 591 | 621 | 672 |
| | | 548 | | 548 | 591 | | |

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| 499 | A bill to revive an act to incorporate the town of Belleville, Hendricks county, - - - | 548 | 591 | 672 |
| 500 | A bill to give additional R. S. 1843, to Randolph county, - - - | 550 | 591 | 673 |
| 501 | A bill to create the 14th judicial circuit, - - - | 550 | 621 | |
| 502 | A bill to locate a State road in the counties of Delaware, Madison, and Grant, - - - | 554 | 591 | 681 |
| 503 | A bill for the relief of Joseph I. Stretcher, and Robert N. Allen, - - - | 554 | 614 | |
| 504 | A bill to define the width of roads in Clinton county, - - - | 555 | 591 | 673 |
| 505 | A bill making specific appropriations for the year 1848, - - - | 556 | 606 | |
| 506 | A joint resolution in relation to the expense incurred in raising volunteers &c., - - - | 558 | 591 | 674 |
| 507 | A bill to authorize Aaron Houghton, administrator &c. to compound a debt, - - - | 572 | 615 | 677 |
| 508 | A bill to require the school commissioner of Marion county, to give bond &c., - - - | 574 | 615 | 681 |
| 509 | A bill for the relief of James Vanblaricum, - - - | 574 | 615 | 679 |
| 510 | A bill to provide compensation to the auditor and treasurer for managing trust fund, - - - | 575 | 631 | |
| 511 | A bill relative to elections in Owen county, - - - | 575 | 662 | |
| 512 | A bill to incorporate the Vermillion academy, - - - | 575 | 662 | |
| 513 | A bill for the relief of E. F. Lucas, - - - | 575 | 662 | 677 |
| 514 | A joint resolution asking the aid of the General Government for the A. Colonization Society, - - - | 583 | 661 | 680 |
| 515 | A bill to revive and continue in force an act to incorporate a certain company, - - - | 578 | 662 | |
| 516 | A bill amendatory of the laws relative to trust fund, - - - | 583 | | |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

728

| <i>Number.</i> | <i>TITLE.</i> | <i>Introduced.</i> | <i>Proceedings thereon.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other proceedings.</i> | <i>Approved.</i> |
|----------------|---|--------------------|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| 517 | A bill to amend an act to confine voters to their own townships, - - - - - | 583 | | | | | |
| 518 | A bill to authorize the location of a State road in Lake and Porter counties, - - - - - | 586 | | | | | |
| 519 | A bill amending chancery practice, - - - - - | 587 | | 587 | 615 | 654 | |
| 520 | A bill to amend the 41st chap. R. S. 1843, - - - - - | 592 | 600, 662 | | | | |
| 521 | A bill to revive an act to provide for a uniform mode of doing township business, - - - - - | 601 | | 601 | 618 | | 680 |
| 522 | A bill to regulate contracts in certain cases in Gibson county, - - - - - | 602 | | | | | |
| 523 | A bill to authorize the Agent of State to make a settlement with John Burk, - - - - - | 602 | | | | | |
| 524 | A bill to curtail the expenses of the State, - - - - - | 603 | | 602 | 615 | 654 | 679 |
| 525 | A bill for the relief of the voters of Sullivan county, - - - - - | 603 | | 603 | | | |
| 526 | A bill in reference to the county surveyor of Sullivan co., - - - - - | 603 | | 603 | | | |
| 527 | A bill to amend sections 134 and 137, chapter 37, R. S. 1843, - - - - - | 603 | | 603 | 615 | 654 | 681 |
| 528 | A bill to amend the charter of the Madison and Brownstown turnpike company, - - - - - | 633 | | 633 | 662 | | 676 |



BILLS AND JOINT RESOLUTIONS OF THE SENATE.

| <i>Number.</i> | <i>TITLE.</i> | <i>Reported from Senate.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other proceedings.</i> |
|----------------|---|----------------------------------|--|----------------------|-------------------------------|
| 2 | A bill to incorporate the Richmond University, - - - | 506 | | 506 | |
| 4 | A bill to incorporate the Franklin Institute of the Richmond University, - - - | 118 | 156 | 232 | |
| 5 | A bill to change the time of holding the probate court in Dearborn county, - - - | 36 | | 55 | |
| 6 | A bill to authorize Hiram A. Brady to file his bill in chancery, - - - | 57 | | 57 | |
| 8 | A bill to amend the charter of the Madison and Napoleon Turnpike Company, - - - | 175 | | 356 | |
| 9 | A joint resolution for the reduction of the price of public lands in the Miami Reserve, - - - | 46 | | 46 | 48 |
| 10 | A bill regulating the fees of officers in Marion county, - | 317 | | | |
| 11 | A joint resolution for the relief of John R. Jones and John D. Ferguson, - - - | 46 | | 47 | |
| 12 | A bill to authorize the Secretary of State to send additional laws to Allen county, - - - | 57 | 57, 63 | 93 | |
| 13 | A joint resolution relative to bounty land warrants, - | 118 | 156 | 232 | |
| 15 | A bill prescribing the mode of selecting petit jurors in Jay county, - - - | 63 | | 95 | |

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|----|--|-----|----------|
| 16 | A bill to incorporate the Eel river Manufacturing Company, | 317 | 96 |
| 17 | A bill to amend an act to incorporate the Peru and Indianapolis Railroad Company, - - - | 84 | 90 |
| 19 | A bill to amend the charter of the city of New Albany, - | 63 | 87 |
| 24 | A bill to incorporate the Monticello Hydraulic Company, | 317 | 317 |
| 26 | A bill to amend the act for the benefit of volunteers, - - | 96 | 96 |
| 27 | A bill for the benefit the New Albany and Salem Railroad, - - - | 236 | 356, 513 |
| 28 | A bill to amend the license law of last session, - - - | 317 | 358 |
| 30 | A bill relative to the execution of decrees in chancery, - | 118 | 537 |
| 32 | A bill to change the time of holding the probate court in Allen county, - - - | 118 | 157 |
| 33 | A bill to amend an act to incorporate the Lafayette Bridge Company, approved January 13, 1845, - - - | 66 | 66 |
| 34 | A bill to vacate certain streets and alleys in Raysville, Henry county, - - - | 118 | 233 |
| 35 | A bill for the relief of Zachariah Collins, - - - | 118 | 233 |
| 36 | A bill relative to the practice in the Laporte circuit court, | 118 | 233 |
| 37 | A bill to vacate a street in the town of Brookville, - | 118 | 233 |
| 38 | A bill for the relief of the securities of John Plasters, &c., | 118 | 262 |
| 39 | A bill to incorporate the Indianapolis and Bellefontaine Railroad Company, - - - | 320 | 377 |
| 40 | A bill giving further time for the settlement of the revenue of Delaware county, - - - | 76 | 522 |
| 41 | A bill to extend the time of appraising certain lands belonging to the W. & E. Canal, - - - | 537 | 76 |
| 42 | A bill to authorize the sale of school lands in Jay county, | 314 | 537 |
| 43 | A bill for the relief of Elizabeth Jones, - - - | 118 | 314 |
| 44 | A bill relative to the Marion circuit court, - - - | 96 | 233 |
| | | | 154 |

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| Number. | TITLE. | Reported from Senate. | Proceedings before passage. | Passed House. | Other proceedings. |
|---------|---|--------------------------|--------------------------------|---------------|-----------------------|
| 45 | A bill to vacate a part of a State road in St. Joseph county, - - - - - | 118 | 163 | 233 | |
| 46 | A bill to fix the time of holding courts in the 8th judicial circuit, - - - - - | 95 | | 95 | |
| 46 | A bill to amend an act incorporating the Brookville and Cincinnati Turpike Company, - - - - - | 119 | 162, 233 | 334 | |
| 47 | A bill fixing the time of holding courts in Hancock county, - - - - - | 96 | | 96 | |
| 47 | A bill to incorporate the Rushville and Lawrenceburgh Railroad Company, - - - - - | 217 | | 317 | |
| 48 | A joint resolution extending the term of office of Basil Brown, - - - - - | 118 | 162 | | |
| 48 | A bill to authorize the clerk of Carroll county to sell certain real estate, - - - - - | 119 | 162 | 233 | |
| 50 | A bill in relation to the seminary fund of Tippecanoe county, - - - - - | 176 | | 358 | |
| 51 | A bill to incorporate the Madison Female College, - - - - - | 176 | | 358 | |
| 52 | A bill to prohibit the sale of ardent spirits in Henry township Henry county, - - - - - | 152 | 156 | 233 | |

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| 53 | A bill to incorporate the Crawfordsville and Indianapolis Railroad Company, - - - | 317 | 317 |
| 54 | A bill to repeal the 2d section of an act to vacate certain alleys in Bloomington, - - - | 176 | 358 |
| 55 | A bill creating the Tippecanoe court of common pleas, and defining its jurisdiction, - - - | 150 | 161 |
| 56 | A bill for the benefit of the Union Literary Society, - - - | 119 | 233 |
| 57 | A bill to provide for a special term of the Washington probate court, - - - | 119 | 119 |
| 59 | A bill to protect the trust funds of the State, - - - | 176 | 358 |
| 60 | A bill to incorporate the Greenbush Cemetary Association of Lafayette, &c., - - - | 151 | 233 |
| 61 | A bill to authorize Ira Bailey to build an arm to the Shelbyville Railroad Company, - - - | 119 | 233 |
| 62 | A bill for the benefit of S. C. Waller and George Green, - - - | 321 | 321 |
| 63 | A bill to change the name of Lewis Myers, - - - | 151 | 233 |
| 64 | A bill to postpone the sale of delinquent lands in Adams county, - - - | 119 | 119 |
| 65 | A bill to vacate a part of an addition to the town of Lafayette, - - - | 321 | 322 |
| 68 | A bill for the relief of the city of Lawrenceburg, - - - | 152 | 233 |
| 69 | A bill to repeal an act for the relief of the Miami Indians, - - - | 236 | 383 |
| 70 | A bill for the relief of the heirs of Anthony Schonts, - - - | 321 | 322 |
| 71 | A bill to authorize Matthias Peterson to convey water into the city of Lafayette, - - - | 321 | 322 |
| 72 | A bill to incorporate the Fairfield Hydraulic company, - - - | 317 | 318 |
| 73 | A bill for the relief of Davis Porter, - - - | 176 | 358 |
| 74 | A bill to amend the 9th article chap. 30, Revised Statutes 1843, - - - | 507 | 508 |

BILLS AND JOINT RESOLUTIONS OF THE SENATE--Continued.

| Number. | TITLE. | Introduced. | Proceedings before passage. | Passed House. | Other proceedings. |
|---------|--|-------------|--------------------------------|---------------|-----------------------|
| 75 | A bill to amend an act to provide for the election of prosecuting attorney, - - - | 537 | | 623 | |
| 77 | A bill to incorporate the Madison and Brownstown turnpike company, - - - | 917 | | 318 | |
| 78 | A bill regulating the width of roads in the counties of Vanderburg and Posey, - - - | 507 | | 508 | |
| 80 | A joint resolution requesting the Governor of the State to present a sword to General Joseph Lane, - - - | 151 | 163, 528 | 543 | 660 |
| 81 | A bill in relation to the organization of the Senate and House of Representatives, - - - | 152 | 162 | 233 | |
| 82 | A bill to vacate a portion of a State road therein named, - - - | 506 | | 506 | |
| 83 | A bill to change the name of the town of Springfield, - - - | 322 | | 322 | |
| 84 | A bill for the relief of Michael Hedekin <i>et. al.</i> - - - | 322 | | 322 | |
| 85 | A bill for the relief of Joseph Mathers, - - - | 322 | 324 | 324 | |
| 86 | A bill to authorize Peter King to build a mill dam &c., - - - | 322 | | | |
| 87 | A bill changing the time of holding courts in the county of Knox, - - - | 152 | 162, 454 | 617 | 623 |
| 89 | A bill to incorporate the French Lick Steam Mill company, - - - | 307 | | 318 | |

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|-----|---|-----|--------------------|-----|----------|
| 90 | A bill to incorporate the Ohio and Mississippi railroad company, - - - - - | 236 | 344, 398, 399, 402 | 402 | 408, 439 |
| 91 | A bill to extend the time for collecting taxes in Dearborn county, - - - - - | 151 | 163 | 300 | |
| 92 | A bill to fix the time for holding probate courts in Shelby county, - - - - - | 152 | 162 | 205 | |
| 93 | A bill to repeal an act to restrict grand juries in Franklin county, in their sessions, - - - - - | 151 | 162 | 233 | |
| 94 | A bill to amend chapt. 10, Revised Statutes 1843, - - - | 317 | 549 | | |
| 95 | A bill declaratory of the meaning of sec. 30, chapt. 37, R. S. 1843, - - - - - | 318 | 573 | 623 | |
| 96 | A joint resolution relative to the Miami Indians, - - - | 151 | 162 | 233 | |
| 97 | A bill in relation to the election of President and Vice-President, - - - - - | 322 | | 375 | |
| 98 | A bill for the relief of the heirs of John Widney, - - - | 522 | | 522 | |
| 100 | A bill to amend the record of the town of Huntington, - | 237 | | 358 | |
| 101 | A bill in relation to records in Lagrange county, - - - | 151 | 162 | 233 | |
| 103 | A bill in relation to the suit of the Vincennes University against the State, - - - - - | 218 | | 318 | |
| 104 | A bill to authorize Thomas Ruble to build a mill dam, - - | 322 | | 322 | |
| 105 | A bill to authorize the commissioners of Cass county to employ a physician, &c., - - - - - | 175 | | 358 | |
| 106 | A bill to change the name of the county seat of Martin county, - - - - - | 175 | | 358 | |
| 107 | A bill to authorize the sale of section 16, town 25 north, range 2 west, - - - - - | 175 | | 358 | |
| 108 | A bill in relation to the town of Carrollton, Carroll county, - | 175 | | 358 | |
| 109 | A bill to amend an act in relation to internal improvements, - - - - - | 175 | | 234 | |

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| Number. | TITLE. | Reported from Senate. | Proceedings before passage. | Passed House. | Other proceedings. |
|---------|---|--------------------------|--------------------------------|---------------|-----------------------|
| 110 | A bill to incorporate the junction railroad company, | 237 | | 358 | |
| 111 | A bill to compel the trustees of the Wabash and Erie canal to allow interest &c., | 236 | | 359 | 439 |
| 112 | A bill to amend an act to incorporate the Knightstown and Shelbyville railroad, | 320 | | 320 | |
| 113 | A bill abolishing the office of school commissioner in Putnam county, | 318 | | 318 | |
| 114 | A bill to amend an act to incorporate the White Water valley canal company, | 175 | 185, 186, 287 | 210 | 237 |
| 115 | A joint resolution relative to locating land warrants, | 236 | | 359 | |
| 116 | A bill to locate a State road in Posey and Vanderburg counties, | 236 | | 359 | |
| 117 | A bill to repeal all laws requiring seals of wax or ink scrawls, | 505 | 662 | | |
| 118 | A bill to incorporate the Ripley county Medical Society, | 318 | | | |
| 119 | A bill to improve the Huntington and Goshen State road, | 235 | | 359 | |
| 120 | A bill to extend the jurisdiction of justices of the peace in criminal cases, | 507 | | 633 | 661 |
| 121 | A bill for the relief of Patrick McGinley, | 318 | 318 | 319 | 488 |

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| 122 | A bill to amend an act to incorporate the Ohio and Indianapolis railroad company, - - - | 215 | 316 |
| 122 | A bill for the relief of the heirs of Louisa Jane Cassatt, - - - | 213 | 213 |
| 123 | A bill for the relief of Rudolph Fischli, and others, - - - | 658 | |
| 124 | A bill relative to the time of making reports to the Legislature, - - - | 235 | 360 |
| 125 | A bill for the relief of Ann Henderson, - - - | 318 | 439 |
| 126 | A bill to vacate a road in Laporte county, and for the relief of O. P. Ludlow, - - - | 236 | 359 |
| 127 | A bill to amend an act to reduce the tolls on the New Albany and Vincennes road, - - - | 237 | 359 |
| 128 | A bill to correct a misprint in an act therein named, - - - | 237 | 359 |
| 129 | A bill to authorize Isaac Hiftner to build a mill dam, - - - | 237 | 359 |
| 131 | A bill to amend an act to incorporate the city of Logansport, - - - | 318 | |
| 132 | A bill for the relief of Lawrenceburg township, - - - | 237 | 360 |
| 133 | A bill to authorize the county of Laporte to borrow money, - - - | 237 | 439 |
| 134 | A bill for the benefit of the recorder of Monroe county, - - - | 237 | 359 |
| 135 | A bill for the relief of John Boone, - - - | 318 | 318 |
| 136 | A bill authorizing the establishment of an additional Branch Bank, - - - | 404, 406 | 407 |
| 137 | A bill incorporating the town of Huntington, - - - | 324 | 469 |
| 138 | A bill levying a road tax in St. Joseph county, - - - | 237 | 324 |
| 139 | A bill for the relief of A. G. Selman, - - - | 224 | 360 |
| 140 | A bill to incorporate the Portland and Ohio Railroad Co., - - - | 324 | 390 |
| 140 | A bill to incorporate the Portland and Ohio Railroad Company, - - - | 511 | 324 |
| 142 | A bill regulating the sale of liquor in Posey and Gibson counties, - - - | 324 | 511 |
| | | 414 | 503, 668 |

BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| <i>Number.</i> | <i>TITLE.</i> | <i>Reported. from Senate.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|--|-----------------------------------|--|----------------------|-------------------------------|
| 142 | A bill authorizing the commissioners of Lagrange county to sell seminary buildings, - - - | 324 | | 324 | |
| 143 | A bill to incorporate the Milton and Waterloo Turnpike Co., - - - | 324 | | 324 | |
| 144 | A joint resolution relative to the National road, - - - | 324 | 415 | 415 | |
| 145 | A bill to provide for draining swamps in the counties of Cass, Pulaski and Fulton, - - - | 507 | | 508 | 536 |
| 146 | A joint resolution relative to mail route from Salem to Bloomington, - - - | 324 | | 324 | |
| 147 | A bill to change the name of Granville, Tippecanoe Co., - - - | 508 | | 508 | |
| 149 | A bill for the relief of the Wabash Fire Co. at Lafayette, - - - | 508 | | 508 | |
| 150 | A bill to incorporate the Tippecanoe Guards, - - - | 508 | | 508 | |
| 151 | A bill to amend an act to incorporate the city of Jeffersonville, - - - | 508 | | 580 | |
| 152 | A bill to amend an act to incorporate the Richmond and Terre Haute Railroad Company, - - - | 314 | 320, 453, 469 | 314, 471 | 550, 552 |
| 153 | A bill to amend an act to provide for a Turnpike Company in Stuben county, - - - | 509 | | 509 | |
| 154 | A bill to incorporate the Huntington, Whitley, and Kosciusko Turnpike Company, - - - | 509 | | 509 | |

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| 157 | A bill to provide for summoning petit jurors in Johnson Co., - - - - - | 509 | | 509 |
| 158 | A bill to amend article 2, chapter 13, R. S. of 1843, - - - - - | 522 | 455 | 535 |
| 159 | A bill for the relief of Joseph E. Moore, - - - - - | 509 | | |
| 160 | A joint resolution relative to a marsh in Jay and Adams counties, - - - - - | 509 | | 509 |
| 161 | A bill to amend the 14th section 1st article, chapter 14, Revised Statutes of 1843, - - - - - | 509 | | 509 |
| 162 | A bill to revive and amend an act to incorporate the Perryville and Danville Railroad Company, - - - - - | 509 | | 510 |
| 163 | A bill to amend an act to authorize the Superintendent of W. & E. Canal to pay certain claims, - - - - - | 509 | | 510 |
| 164 | A bill prescribing the duties of petitioners for the incorporation of towns, - - - - - | 509 | | 623 |
| 165 | A bill to amend an act to incorporate the Buffalo and Mississippi Railroad Company, - - - - - | 386 | | 510 |
| 166 | A bill to incorporate the Union Literary Institute, - - - - - | 506 | 392 | 393 |
| 167 | A bill for the securing an effective supervision of the State Prison, - - - - - | 325 | 477 | 506 |
| 168 | A bill to explain an act for the relief of purchasers of saline lands, &c., - - - - - | 506 | | |
| 169 | A bill authorizing the commissioners of Lagrange county to increase the salary of the probate judge, - - - - - | 509 | | 506 |
| 170 | A bill to regulate the proceedings in action of waste, - - - - - | 522 | 662 | 509 |
| 172 | A joint resolution on the subject of reducing the price of public 'anks, - - - - - | 509 | | 510 |
| 174 | A bill to revive an act to locate a State road in Washington and Lawrence counties, - - - - - | 509 | | 510 |

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| 176 | A bill to incorporate the New Castle and Knightstown R. Co., | 505 | | 506 | 536 |
| 177 | A bill to amend an act to provide for the continuation of the M. & I. Railroad to Lafayette, | 511 | | 525 | |
| 178 | A bill fixing the corporate limits of the town of Lafayette, | 511 | 558 | | |
| 179 | A bill to authorize the commissioners of Tippecanoe coun- ty to do their duty, | 511 | | 510 | |
| 180 | A bill to amend an act to incorporate the Lafayette In- surance Company, | 509 | | 506 | |
| 181 | A bill giving additional power to the president and trus- tees of the town of Lafayette, | 506 | | 506 | |
| 182 | A bill to revive an act to incorporate the Lafayette and Danville Railroad Company, | 506 | | 506 | |
| 183 | A bill to amend the law in the service and return of process, | 530 | 662 | 506 | |
| 184 | A bill for the relief of certain persons therein named, | 511 | | 551 | |
| 185 | A bill to authorize executors, administrators and guar- dians, to make deeds in certain cases, | 530 | 662 | | |
| 186 | A bill confirming the marriage between Thomas Berry and Elizabeth Berry, | 656 | | | |

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| 192 | A bill to regulate the signing of bills of exception in the circuit court, - - - - - | 531 |
| 193 | A bill for the benefit of the auditor of Grant county, - - - | 506 |
| 195 | A bill to provide for taxing estates in dower, - - - - - | 509 |
| 196 | A bill for the relief of J. & E. L. Beard, - - - - - | 387 |
| 197 | A bill to amend the 8th article, chapter 13, R. S. of 1843, - - - | 511 |
| 198 | A bill to authorize Jay county to borrow money, - - - - - | 511 |
| 199 | A bill for the relief of the sureties of James H. Kintner, - - | 506 |
| 202 | A bill to prevent the sale of spirituous liquors in the town of Rushville, - - - - - | 506 |
| 203 | A bill to incorporate the Richmond and Hagerstown Turnpike Company, - - - - - | 508 |
| 204 | A bill for the relief of certain persons in Monroe county, - | 511 |
| 205 | A bill for the relief of John Kearney, - - - - - | 318 |
| 206 | A bill to incorporate the Steuben county Medical Society, - | 506 |
| 207 | A bill to incorporate the Wild Cat Turnpike Company, - - - | 511 |
| 208 | A bill to authorize the erection of a bridge in Martin county, - - - - - | 318 |
| 209 | A bill in relation to certain school lands in Floyd county, - | 509 |
| 210 | A bill to legalize the acts of the auditor of Steuben county, - - - - - | 318 |
| 211 | A bill for the relief of John S. Watts, - - - - - | 520 |
| 212 | A joint resolution declaratory of the meaning of a certain act, - - - - - | 659 |
| 213 | A bill to authorize R. M. Siler to relinquish certain school land, - - - - - | 530 |
| 214 | A bill to incorporate the Mooresville Branch Railroad Company, - - - - - | 518 |

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| <i>Number.</i> | <i>TITLE.</i> | <i>Reported from Senate.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other proceedings.</i> |
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| 215 | A bill in relation to water power on Central Canal in Morgan county, - - - - - | 545 | | 545 | |
| 217 | A bill to incorporate the Wayne county Turnpike Company, - - - - - | 530 | | 530 | |
| 218 | A bill to incorporate the Fair View Academy in Rush county, - - - - - | 530 | | 531 | |
| 219 | A bill to authorize the improvement of Tanner's creek in Dearborn county, - - - - - | 530 | | 531 | |
| 220 | A bill in relation to the law prohibiting the Indians from selling their lands, - - - - - | 509 | | 510 | |
| 221 | A bill for the relief of widows and orphans, - - - - - | 518 | | 518 | |
| 222 | A bill relative to the examination of common school teachers, - - - - - | 658 | | | |
| 223 | A joint resolution relative to the harbor of Michigan City, &c., - - - - - | 530 | 624 | | |
| 224 | A bill to incorporate the Fort Wayne and Goshen Turnpike Company, - - - - - | 531 | | | |
| 226 | A joint resolution in regard to General Zachary Taylor, - - - - - | 566 | 663 | | |
| 227 | A bill relative to water power on the Central Canal, - - - - - | 540 | 651, 662 | | |

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| 228 | A bill to incorporate the Lake Michigan, Logansport, and Ohio river Railroad Company, - - - - - | 451 | 451 |
| 229 | A bill to repeal part of an act in regard to the probate court of Ripley county, - - - - - | 657 | 657 |
| 230 | A bill to vacate a part of a street in Bloomington, - - - - - | 540 | 540 |
| 233 | A bill to incorporate the Chamberlain Mills, - - - - - | 545 | 545 |
| 234 | A bill to amend an act to incorporate the White Water Valley Canal Company, - - - - - | 553 | 555, 604, 605 |
| 236 | A bill to aid in the settlement of the estate of John Simms, deceased, - - - - - | 518 | 518 |
| 236 | A bill to repeal an act incorporating the town of Greensburg, - - - - - | 320 | 320 |
| 237 | A bill to authorize Jay county to levy a tax, - - - - - | 540 | 540 |
| 238 | A bill to incorporate the Ohio and Mississippi Telegraph Company, - - - - - | 507 | 507 |
| 239 | A bill concerning the laws in Bartholomew county, - - - - - | 540 | 540 |
| 240 | A bill to incorporate the Tippecanoe Bridge Company, - - - - - | 419 | 462 |
| 241 | A bill directing the sale of a school section in Huntington county, - - - - - | 540 | 540 |
| 242 | A bill to prevent the sale of liquor in Wayne and Franklin township, Wayne county, - - - - - | 540 | 589 |
| 243 | A bill amendatory of an act to incorporate the White Water Valley Canal Company, - - - - - | 311 | 311 |
| 244 | A bill to extend the February term of the probate court of Bartholomew county, - - - - - | 519 | 519 |
| 244 | A bill prescribing the manner of assessing tax on R. R. stock, - - - - - | 519 | 624 |
| 245 | A bill relative to taxes in Bartholomew county, - - - - - | 540 | 540 |
| 246 | A bill to locate a State road in the counties of Adams, Allen, and Jay, - - - - - | 545 | 545 |

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| Number. | TITLE. | Reported from Senate. | Proceedings before passage. | Passed House. | Other Proceedings. |
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| 248 | A bill to locate a State road from Logansport to Winnemac, | 540 | 564, 588 | 540 | |
| 250 | A bill supplemental to an act fixing time for holding courts in the 8th circuit, - - - - - | 545 | | | |
| 251 | A bill to incorporate the Fort Wayne and Southern Rail- road Company, - - - - - | 536 | | 336 | |
| 252 | A bill to incorporate the Fort Wayne and Abbington Rail- road Company, - - - - - | 536 | | 536 | |
| 253 | A bill to pay the commissioner of reserved lands in Mon- roe county, - - - - - | 536 | | 536 | |
| 254 | A bill amendatory of the law in regard to writs of <i>ad quod damnum</i> , - - - - - | 651 | | 665 | |
| 255 | A bill to incorporate the Cannelton Steam mill, &c., - - | 536 | | 536 | |
| 256 | A bill to incorporate the Mt. Vernon and New Harmony Railroad Company, - - - - - | 536 | | | |
| 257 | A bill to regulate the practice of law in Lagrange county, | 545 | | 536 | |
| 258 | A bill to amend an act incorporating the Brookville and Connersville Turnpike Company, - - - - - | 540 | | 545 | |
| 260 | A bill to authorize Thomas Hamilton to build a mill dam, - - - - - | 540 | | 540 | |

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| 261 | A bill to amend the charter of the Milford and Columbus Railroad Company, | 539 | 539 |
| 262 | A bill for the relief of A. Bird, | 540 | 540 |
| 263 | A bill to incorporate the Demosthenean Literary Society of Franklin College, | 507 | 508 |
| 264 | A bill to incorporate the Lyceum of Wabash College, | 507 | 508 |
| 265 | A bill to authorize Daviess county to employ a physician, | 536 | 536 |
| 266 | A bill for the relief of Margaret Wade, | 530 | 531 |
| 267 | A bill authorizing the sale of a school section in Tippecanoe county, | 545 | 545 |
| 268 | A bill authorizing the sale of the Old State Prison, | 540 | 540 |
| 270 | A bill to incorporate the Cincinnati and St. Louis railroad company, | 521 | 624, 668 |
| 271 | A bill to revive and amend an act to incorporate the Crawfordsville and Wabash railroad company, | 520 | 520 |
| 272 | A bill relative to the city of Indianapolis, | 511 | 512 513 |
| 273 | A bill supplementary to an act for the relief of purchasers of canal lands, | 531 | 531 |
| 274 | A bill to change a State road in St. Joseph county, | 545 | 545 |
| 275 | A bill extending certain provisions of the Revised Statutes of 1843, to Lagrange county, | 541 | 541 |
| 276 | A bill to amend an act therein named, | 511 | 511 |
| 277 | A bill relating to auditors and treasurers, | 540 | 583 |
| 278 | A bill to incorporate the trustees of the Owensville public house, | 511 | 511 |
| 280 | A bill to authorize the construction of plank or coal roads, | 536 | 536 |
| 281 | A bill to incorporate the Wabash and Greenville railroad company, | 536 | 536 |

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| <i>Number.</i> | <i>TITLE.</i> | <i>Reported from House.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
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| 282 | A join resolution in relation to the contract entered into between the State of Indiana and her bondholders, - | 528 | | 528 | |
| 283 | A bill to amend an act declaratory of an act authorizing Jas. Dunn, and Jas. Norvill to build a bridge, - | 519 | | 519 | |
| 283 | A bill granting a divorce, - | 540 | | | |
| 284 | A bill to change the name of Springfield in Wabash Co. - | 545 | | 545 | |
| 285 | A bill for the benefit of the reserved township of seminary land in Monroe county, - | 531 | | 531 | 660 |
| 286 | A bill to regulate testimony in certain cases, - | 567 | 662 | | |
| 287 | A bill in relation to the New Albany and Vincennes road, - | 603 | | 604 | |
| 288 | A bill to correct a mistake in the commission of J. P., - | 531 | | 531 | |
| 289 | A bill authorizing the sale of real estate in Allen county, - | 531 | | 531 | |
| 290 | A bill to fix the salary of the trustees of the Wabash and Erie canal, - | 546 | 628 | | |
| 291 | A bill in relation to the real estate of John R. Fischli, deceased, - | 569 | 610 | | |
| 292 | A bill to locate a State road therein named. - | 545 | | 545 | |
| 293 | A bill to incorporate the town of Patriot, - | 521 | | 521 | |
| 294 | A bill to incorporate the town of Bloomington, Monroe, co., - | 540 | | | |

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| 296 | A bill for the relief of replevin bail, | 567 | 616 |
| 298 | A bill in relation to the New Albany and Salem railroad company, | 520 | |
| 299 | A bill to authorize Adams county, to employ a prosecuting attorney, | 522 | |
| 300 | A bill to increase the power of the county board in Blackford county, | 444 | |
| 301 | A bill to restrict the county tax in Steuben county, | 531 | |
| 302 | A bill making provision for the payment of certain witnesses, | 444 | |
| 302 | A joint resolution of thanks to our officers and soldiers in Mexico, | 569 | |
| 303 | A bill to revive an act to incorporate the Crawfordsville, Covington, and Illinois railroad company, | 567 | |
| 304 | A joint resolution in relation to international exchanges, | 521 | |
| 305 | A bill for the relief of the sureties of William Johnson, | 545 | |
| 307 | A bill to amend an act to authorize the formation of voluntary associations, | 544 | |
| 309 | A bill for the benefit of the late Wm. H. May, deceased, | 663 | |
| 310 | A bill granting a divorce to Allen Gibbons and Susannah Gibbons, | 568 | |
| 311 | A joint resolution in relation to the flag of the second Indiana regiment, | 501 | |
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| 316 | A bill to incorporate the Indiana Iron manufacturing Co. | 652 | |
| 317 | A bill for the relief of Elias Murray, | 652 | |
| 318 | A bill explanatory of an act for the benefit of volunteers, | 652 | |

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| 321 | A bill amendatory of an act to incorporate the Rushville and Lawrenceburg railroad company, - - - - - | 539 | | 539 | |
| 322 | A bill to provide for the repair of the building on the Governor's circle, - - - - - | 659 | | 659 | |
| 324 | A bill in relation to the Ohio and Indianapolis railroad company, - - - - - | 653 | | 653 | |
| 325 | A bill granting certain powers to the probate court of Dearborn county, - - - - - | 604 | | 605 | |
| 326 | A bill to allow parties to take depositions, in case of injunctions, - - - - - | 658 | | 658 | |
| 327 | A bill for the relief of the late School commissioner of Delaware county, - - - - - | 658 | | 658 | |
| 328 | A bill to repeal an act relative to Lost river, in Martin county, - - - - - | 611 | | 611 | |
| 329 | A bill relative to the counties of Carroll and Clinton, - - - - - | 630 | | 630 | |
| 330 | A bill to define the time when an act therein named shall take effect, - - - - - | 630 | | 630 | |

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| 331 | A bill to define the law in regard to bailiffs in Hancock county, F- - - - - | 657 | 657 |
| 332 | A bill releasing the right of the State in certain lands in Hancock county, - - - - - | 657 | 657 |
| 333 | A bill for the relief of the heirs of Ezra Smith, - - - - - | 657 | 657 |
| 334 | A bill to authorize an additional place of holding elections in Warren county, - - - - - | 657 | 657 |
| H 3335 | A joint resolution in relation to compensation to the Adjutant General, - - - - - | 657 | 657 |
| 340 | A bill to authorize the treasurer to draw the State's dividends in the Madison and Indianapolis railroad company, - - - - - | 651 | 651 |
| 341 | A bill supplemental to an act incorporating the Indianapolis and Bellefontaine railroad company, - - - - - | 626 | 626 |
| 342 | A bill to repeal a part of an act therein named, - - - - - | 656 | 656 |
| 344 | A bill supplementary to an act to incorporate the Crawfordville and Indianapolis railroad, - - - - - | 632 | 632 |

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| To allow Dr. N. Mills the use of the Hall, | - - - | 8 | Mr. Hull, | 11 |
| Informing the Senate of the organization of House, | - - - | 11 | Neal, | |
| On the subject of taking newspapers for use of members of House, | - - - | 11 | Lane, | |
| On subject of newspapers, | - - - | 12 | Miller, | 13 |
| Ordering standing rules to be furnished, | - - - | 13 | Neal, | 13 |
| Ordering desks to be furnished with statutes of 1843, | - - - | 13 | Morrison, | 16 |
| Inviting Rev. Mr. Holliday to open session with prayer, | - - - | 13 | Hull, | |
| To allow Dr. N. Mills the use of the Hall, | - - - | 13 | Blythe, | |
| To elect a sergeant at arms, | - - - | 13 | McDonald of A., | 14 |
| Ordering door keeper to act as sergeant at arms, | - - - | 14 | McDonald of L., | 14 |
| Adopting rules and joint rules of last session, | - - - | 14 | Harvey, | 15 |
| To allow the reporters seats within the bar of the House, | - - - | 15 | Dunham, | 15 |
| Granting use of the Hall to State Educational Convention, | - - - | 15 | Kinney, | 16 |
| Appointing committee to wait on the Governor, | - - - | 16 | Wolf, | |
| On the subject of electing a trustee for Wabash and Erie Canal and Agent of State, | - - - | 16 | Harlan, | 23 |
| Authorizing doorkeeper to employ assistants, | - - - | 18 | Harlan, | 18 |
| On the subject of taking newspapers, | - - - | 20 | Line, | 21 |
| Directing doorkeeper to employ Wm. Douglass, | - - - | 22 | Meredith, | 22 |

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| Inviting Senate to hear the prayer of Rev. Mr. Holliday, - | 22 | Hull, | 22 |
| To elect a commissioner on the New Albany and Vincennes road, | 23 | Terry, | |
| On the subject of electing bank directors, - | 23 | Ford, | |
| Ordering clerks to inform Senate of the adoption of rules, - | 24 | Dunham, | 24 |
| Ordering doorkeeper to furnish copies of order of business to standing committees, - | | | |
| On the subject of the Cumberland road, - | 28 | Dunham, | 28 |
| On the subject of granting divorces, - | 32 | Baldwin, | 33 |
| Appointing a committee to visit Agent of State, - | 33 | Neal, | |
| On the subject of granting divorces, - | 33 | Dunham, | 33 |
| On the subject of subpœnas in chancery, - | 33 | Ford, | 33 |
| Ordering the address prepared by the committee of the common school convention to be printed, - | 34 | Winstandley, | 34 |
| Concerning chases in action, - | 34 | Meredith, | 34 |
| On the subject of increasing the common school fund, - | 34 | McKinzie, | |
| On amending laws for the collection of debts, - | 41 | Prather, | |
| On the subject of selling school lands, - | 41 | Cookerly, | 41 |
| Referring certificates of members to committee on elections, - | 41 | Colip, | 41 |
| Concerning writs of injunction, - | 42 | McKinzie, | 41 |
| Concerning deaf and dumb asylum, - | 42 | Orton, | |
| Concerning the election of State Agent and Canal Trustee, - | 42 | Gooding, | 42 |
| On the subject of amending the execution laws, - | 42 | Robinson, | 42 |
| On the subject of jurisdiction of justices of the peace, - | 42 | Frazer, | 42 |
| On the subject of organizing the militia, - | 44 | Robinson, | 42 |
| On modifying laws confining voters to their townships, - | 45 | Neal, | 44 |
| On the subject of fees of county officers, - | 47 | Ford, | |
| On the subject of confining voters to their townships, - | 47 | Neal, | |
| Requesting Senate to return to the House a joint resolution for the relief of John R. Jones and John D. Ferguson, - | 48 | Dunham, | 48 |

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| On the subject of common school education, | 51 | Brown, | 52 |
| On the subject of associate judges holding probate courts, | 52 | Dougherty, | |
| On the subject of amending the road laws, | 52 | Neal, | |
| On the subject of amending the statute of frauds, | 52 | May, | 53 |
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| On the subject of amending the Revised Statutes, | 53 | Short, | 53 |
| On the subject of fees and salaries, | 53 | Hamilton, | 53 |
| Concerning choses in action, | 53 | Roache, | |
| Concerning the law confining voters, &c., | 53 | Short, | |
| Concerning the education of the blind, | 53 | Hamilton, | 54 |
| Concerning the election of bank directors, | 53 | Harlan, | |
| On the subject of assessing and collecting taxes in Jennings county, | 54 | | |
| On the subject of amending the road laws, | 58 | Prather, | 58 |
| Granting the use of the Hall to the colonization society, | 59 | Neal, | 59 |
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| Concerning the fees of witnesses, | 60 | Widney, | |
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| Requesting the Governor to communicate his message, | 88 | Cole, | 88 |
| On the subject of taking depositions, | 89 | Shryock, | 89 |
| On the subject of electing superintendent to New Albany road, | 89 | Blythe, | |
| Inviting the Senate to the electing of canal trustee, | 89 | Hamilton, | |
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| Allowing pay to the clerks of the common school convention, | 94 | Meredith, | 94 |
| Allowing judiciary committee leave to set during the recess, | 96 | Meredith, | |
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| Requesting superintendent of New Albany and Vincennes road to make his report, &c., | 100 | Harvey, | 100 |
| Appointing a committee on damages occasioned by the flood, | 102 | Cookerly, | 100 |
| Granting use of the Hall to the Whig State Convention, | 108 | Lane, | 108 |
| Requesting military committee to report a bill, &c., | 116 | Little, | 116 |
| On the expediency of having the military laws published, | 116 | Cookerly, | 116 |
| On the subject of garnishees, &c., | 116 | Dobson, | 116 |
| On the subject of Foreign attachments, | 117 | Terry, | 116 |
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| On printing Governor's message in German, | 136 | Cookerly, | 143 |
| On continuing the election of canal trustee, &c., | 140 | Terry, | 145 |
| On selling stock in Madison and Indianapolis Railroad, | 145 | Prather, | 145 |
| On allowing certain officers to pay for extra services, | 145 | Robinson, | 145 |
| On the election of State Librarian, | 145 | Dougherty, | 145 |
| Authorizing principal and assistant clerks to employ assistants, | 145 | Sullivan, | 145 |
| On amending the estray laws, | 145 | Neff, | 145 |
| Granting the use of the Hall to E. T. Fletcher, | 145 | Brown, | 145 |
| On making witness pay costs in certain cases, | 146 | Cole, | 146 |
| On the subject of writs of error, | 146 | Jones of S., | 146 |
| On taking up orders of the day each day, &c., | 146 | Carr, | 146 |
| On amending laws in regard to occupying claimants, | 146 | Blythe, | 146 |
| On creating a standing committee on manufactures, | 146 | Kinney, | 146 |
| On printing the school bill, | 146 | Gooding, | 147 |
| On electing agent for Northern Division of Central Canal, | 147 | Brown, | 147 |
| On amending revenue laws, | 147 | Frazer, | 147 |
| On the subject of the adjournment of the House, <i>sine die</i> , | 147 | Coffin, | 148 |
| Directing State Librarian to do a certain act, | 148 | Dunham, | 148 |

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| On selling stock in Madison and Indianapolis Railroad, . . . | 148 | Stone, | 148 |
| Referring Governor's message to committee of the whole, . . . | 155 | Dunham, | 155 |
| Inviting Senate to the election of Librarian, . . . | 157 | Hamilton, | 157 |
| Inviting Senate to the election of Canal Trustee, . . . | 164 | Miller, | 164 |
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| Inviting Senate to the election of a judge, &c., . . . | 184 | Sullivan, | 184 |
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| On the subject of an exhibition of the blind, . . . | 208 | Covington, | |
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| Referring reports to committees, . . . | 209 | Brown, | 209 |
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| On allowing mileage to members, . . . | 210 | Slater, | 210 |
| On revising and printing road laws, . . . | 210 | Cookerly, | |
| On selling stock in Madison and Indianapolis Railroad, . . . | 210 | Lane, | 210 |
| On not allowing persons over sixteen years of age to marry, unless they are able to read and write, and are "good whigs," . . . | 211 | Shryock, | |
| On amending the executive laws, . . . | 211 | Stanton, | 211 |
| On suspending the rules of the House, . . . | 211 | Widney, | 211 |
| On amending the practice in chancery, . . . | 212 | Wolfe, | |
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| On the subject of prosecuting attorney's, - - - | 212 | Mr. Terry, | 213 |
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| On amending the laws in regard to estates without heirs, - | 213 | Stanton, | 214 |
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| On the duties of auditors' and clerks', - - - | 215 | Dobson, | 215 |
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| On the subject of complete records, - - - | 215 | Lane, | 215 |
| On the subject of delinquent land sales, - - - | 215 | Prather, | 216 |
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| Adding a member to the committees, - - - | 216 | Hull, | 216 |
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| Granting use of Hall to Governor Slade, | 404 | Kinney, | 404 |
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| Allowance to William Sullivan, J. P. | 431 | Hamilton, | 431 |
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| Allowance to Alexander Dunnington, | 431 | McKinzie, | 431 |
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| Allowance to Stephen H. Taylor, | 432 | Cookerly, | 432 |
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| Providing for a night session, . . . | 550 | Cookerly, . . . | 550 |
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